



**Carlos Jackson**  
Executive Director

**HOUSING AUTHORITY  
of the County of Los Angeles**

Administrative Office  
2 Coral Circle • Monterey Park, CA 91755  
323.890.7001 • www.lacdc.org

**Gloria Molina**  
**Yvonne Brathwaite Burke**  
**Zev Yaroslavsky**  
**Don Knabe**  
**Michael D. Antonovich**  
Commissioners

**AGENDA  
FOR THE REGULAR MEETING OF THE  
LOS ANGELES COUNTY HOUSING COMMISSION  
WEDNESDAY, AUGUST 24, 2005  
12:00 NOON  
FRANCISQUITO VILLA  
14622 FRANCISQUITO AVE.  
LA PUENTE, CALIFORNIA 91746  
(626) 960-7202**

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**1. Call to Order**

**2. Roll Call**

**Henry Porter, Jr., Chair**  
**Lynn Caffrey Gabriel, Vice Chair**  
**Severyn Aszkenazy**  
**Philip Dauk**  
**Sharon M.Y. Lowe**  
**Andrew Nguyen**  
**Dora Nowden**

**3. Reading and Approval of the Minutes of the Previous Meeting**

Regular Meeting of July 27, 2005

**4. Report of the Executive Director**

**5. Staff Presentations**

- a. Search for New Section 8 Lancaster Office - Michael Popwell and Theresa Wesson will provide information on office relocation.
- b. Emergency Projects at Three Public Housing Sites - Byron Ely will report on emergency work required at the following sites: Marina Manor requires elevator retrofitting, fire sprinkler pump replacement and correction of false fire alarm problems; West Knoll requires repairs to the elevator hydraulic system to stop oil leakage that is contaminating the ground and adjacent

ground water; and Nueva Maravilla requires extensive electrical infrastructure and retrofit work to upgrade the existing system. Nicole A. Davis-Tinkham, Associate Attorney, Collins, Collins, Muir & Stewart, LLP, will be present to respond to questions regarding third-party liability.

6. **Construction Contract Status Report – Geoffery Siebens**
7. **Commissioners' Recommendations for Workshop Topics**
8. **Public Comments**

The public may speak on matters that are within the jurisdiction of the Housing Commission. Each person is limited to three minutes.

### **Regular Agenda**

9. **Approve the Purchase of Personal Computers from Dell Computers Corporation (ALL DISTRICTS)**  
Recommend approval of the purchase of 150 personal computers from Dell Computers Corporation (Dell) for Section 8 Housing Choice Program staff, and authorize the Executive Director to use for this purpose \$129,094.62 included in the Housing Authority's approval Fiscal Year 2005-2006 budget. (APPROVE)
10. **Approve Amended Administrative and Personnel Policies (ALL DISTRICTS)**  
Recommend approval of amended Administrative and Personnel Policies, which sets forth the personnel framework for the Community Development Commission and the Housing Authority, to be effective upon the date of Board approval. (APPROVE)
11. **Approve Construction Contract for Natural Gas Line Replacement at the Carmelitos Family Housing Development (4)**  
Recommend approval of environmental findings for the replacement of natural gas lines serving 22 units at the Carmelitos family housing development, located at 1000 Via Wanda, Long Beach; approve the award of a Construction Contract in the amount of \$143,360 to M.L. Construction, to complete phase one of the project; and authorize the Executive Director to execute the Construction Contract and all related documents, to be effective upon the issuance of the Notice to Proceed, which will not exceed 30 days following the date of Board approval. (APPROVE)

**12. Adopt Resolution Approving and Certifying Public Housing Assessment System Management Operations Certification (ALL DISTRICTS)**

Recommend adoption and instruct the Chair to sign the attached Resolution approving and certifying the accuracy of information contained in the 2004-2005 Public Housing Assessment System Management Operation Certification (PHAS Certification), which includes management data on 2,958 Conventional Public Housing Program units administered by the Housing Authority; authorize the Executive Director to sign the PHAS Certification and to submit the Resolution and the PHAS Certification to the U.S. Department of Housing and Urban Development (HUD). (APPROVE)

**13. Approve Construction Contract for Parking Lot Renovation at the Nueva Maravilla Housing Development (1)**

Recommend approval of environmental findings for the renovation of two parking lots at the Nueva Maravilla housing development, located at 4919 E. Cesar E. Chavez Avenue in unincorporated East Los Angeles; approve the award of a Construction Contract in the amount of \$125,000 to Commerical Paving & Coating, Inc., to complete the parking lot renovations; and authorize the Executive Director to execute the Construction Contract and all related documents, to be effective upon the issuance of the Notice to Proceed, which will not exceed 30 days following the date of Board approval. (APPROVE)

**14. Housing Commissioner Comments and Recommendations for Future Agendas**

Housing Commissioners may provide comments or suggestions for future Agenda items.

Copies of the preceding agenda items are on file and are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at the Housing Authority's main office located at 2 Coral Circle in the City of Monterey Park. Access to the agenda and supporting documents is also available on the Housing Authority's website.

Agendas in Braille are available upon request. American Sign Language (ASL) interpreters, or reasonable modifications to Housing Commission meeting policies and/or procedures, to assist members of the disabled community who would like to request a disability-related accommodation in addressing the Commission, are available if requested at least three business days prior to the Board meeting. Later requests will be accommodated to the extent possible. Please contact the Executive Office of the Housing Authority by phone at (323) 838-5051, or by e-mail at [Marisol.Ramirez@lacdc.org](mailto:Marisol.Ramirez@lacdc.org), from 8:00 a.m. to 5:00 p.m., Monday through Friday.

THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES  
MINUTES FOR THE REGULAR MEETING OF THE  
LOS ANGELES COUNTY HOUSING COMMISSION

Wednesday, July 27, 2005

The meeting was convened at the Lomita Manor housing development located at 24925 Walnut Street, Lomita, CA 90717.

Digest of the meeting. The minutes are being reported seriatim. A taped record is on file at the main office of the Housing Authority.

The meeting was called to order by Chair Henry Porter, Jr. at 12:20 p.m.

<b>ROLL CALL</b>	<b><u>Present</u></b>	<b><u>Absent</u></b>
Severyn Aszkenazy		X
Philip Dauk		X
Lynn Caffrey Gabriel	X	
Sharon M.Y. Lowe	X	
Andrew Nguyen	X	
Dora Nowden	X	
Henry Porter, Jr.	X	

**PARTIAL LIST OF STAFF PRESENT:**

Bobbette Glover, Assistant Executive Director  
Marie Quon-Hom, Assistant Director, Assisted Housing Division  
Jim Becker, Manager, Assisted Housing Division  
Maria Badrakhan, Director, Housing Management Division  
Esther Keosababian, Assistant Director, Housing Management Division  
Arlene Black, Manager, Housing Management Division  
Mary Douglas, Acting Manager, Housing Management Division  
Tricia Tasto, Manager, Intergovernmental Relations/CDBG Division  
Bill Huang, Manager, Housing Development and Preservation Division

**GUESTS PRESENT:**

No guests were in attendance

### **Introduction of Commissioner Dora Nowden**

Commissioner Porter introduced Commission Dora Nowden as a new member of the Housing Commission.

### **Reading and Approval of the Minutes of the Previous Meetings**

On Motion by Commissioner Gabriel, seconded by Commissioner Nguyen, the Minutes of the Regular Meeting of June 22, 2005, were approved with one correction made to Agenda Item 7.

### **Agenda Item No. 4 - Report of the Executive Director**

This report was presented by Bobbette Glover with staff participation.

Bobbette Glover introduced Mary Douglas, Acting Area Manager, who oversees the management and operations of the Harbor Hills, Lomita Manor and Carmelitos housing developments. Ms. Douglas introduced Ron Herold, Maintenance Supervisor and Rosa Garcia, Resident Manager for the Lomita and Harbor Hills areas.

Ms. Glover reported that discussions have taken place with the California African American History Museum regarding programs that will benefit participants of the Housing Authority's Youth in Focus program. Workshops may begin next summer.

Bobbette Glover requested suggestions from the Housing Commissioners regarding topics for future workshops. Commissioner Nowden indicated that she is interested in the First Time Homebuyer Program.

### **Agenda Item No. 5 - Staff Presentation**

**Legislative Update** - Tricia Tasto announced that the House of Representatives passed H.R. 3058 on June 30, and the Senate Appropriations Committee passed its version on July 21.

Ms. Tasto reported that Congressman Gary G. Miller requested that Carlos Jackson testify at the Senate hearing regarding H.R. 1999, the State and Local Housing Flexibility Act of 2005. Mr. Jackson was unable to attend, but submitted written testimony on the proposed changes to the Section 8 Housing Choice Voucher and Conventional Public Housing programs. Copies of the written testimony will be distributed to the Commissioners.

Tricia Tasto also announced that attempts by the City of Industry to recapture Industry Funds have ceased for the present time.

**Agenda Item No. 6 Public Comments**

No members of the public were in attendance

**Regular Agenda**

APPROVE AGREEMENT TO NEGOTIATE EXCLUSIVELY WITH  
SELECTED DEVELOPER FOR DISPOSITION, DEVELOPMENT AND  
SALE OF SINGLE-FAMILY HOMES IN UNINCORPORATED WILLOWBROOK (2)  
AGENDA ITEM NO. 7

This matter was removed from the Agenda, following posting on the Housing Authority Web Site, because the development involves the use of Industry Funds that are administered by the Community Development Commission. Bill Huang, Manager of Housing Development and Preservation, provided a short presentation on the development for information purposes. The 9.5-acre site, which is currently owned by the Commission, was originally purchased with Industry Funds and will be used to develop 95 single-family homes. Staff will report back to the Housing Commission on the progress of the development and on marketing efforts.

A request was made for staff to provide periodic updates on the Salinas Avenue homeownership development and on the transfer of Ujima Village.

**On Motion by Commissioner Gabriel, seconded by Commissioner Nowden, and unanimously carried, the following was approved by the Housing Commission:**

AMENDMENT NO. 1 TO CONSTRUCTION CONTRACT FOR SITE AND DWELLING  
STRUCTURE IMPROVEMENTS AT THE WEST 107<sup>TH</sup> STREET  
FAMILY HOUSING DEVELOPMENT (2)  
AGENDA ITEM NO. 8

1. Recommend that the Board of Commissioners find that Amendment No. 1 to the Construction Contract between the Housing Authority and M.L. Construction for site and dwelling structure improvements at the West 107<sup>th</sup> Street family housing development, located at 1320 West 107<sup>th</sup> Street, in unincorporated Los Angeles County, is exempt from the California Environmental Quality Act (CEQA), as described herein, because the additional work involved includes activities that will not have the potential for causing a significant effect on the environment.
2. Recommend that the Board of Commissioners approve and authorize the Executive Director of the Housing Authority to execute Amendment No. 1 to the Construction Contract between the Housing Authority and M.L. Construction, and all related documents, to increase the compensation

amount by \$150,000, from \$650,283 to \$800,283, to provide additional scope of work due to the discovery of mold during construction.

3. Recommend that the Board of Commissioners authorize the Executive Director to use a total of \$150,000 in Capital Fund Program funds allocated by the U.S. Department of Housing and Urban Development (HUD), and to incorporate the funds into the Housing Authority's approved Fiscal Year 2005-2006 budget, for the purpose described herein.
4. Recommend that the Board of Commissioners authorize the Executive Director to approve an increase in contingency funds of up to \$30,000 for unforeseen project costs, from \$130,056 to \$160,056 using Capital Fund Program funds; and authorize the Executive Director to incorporate the funds into the Housing Authority's approved Fiscal Year 2005-2006 budget, as needed.

**On Motion by Commissioner Gabriel, seconded by Commissioner Nowden and unanimously carried, the following was approved by the Housing Commission:**

APPROVE MEMORANDA OF UNDERSTANDING WITH THE CITIES OF  
BELLFLOWER AND PARAMOUNT FOR INVESTIGATIVE SERVICES (4)  
AGENDA ITEM NO. 9

1. Recommend that the Board of Commissioners approve and authorize the Executive Director of the Housing Authority to execute the attached one-year Memoranda of Understanding (MOUs) with the cities of Bellflower and Paramount, presented in substantially final form, under which the Housing Authority will receive \$25,000 from each city to provide Section 8 Housing Choice Voucher Program (Section 8 Program) investigative services within Bellflower and Paramount, to be effective following approval as to form by County Counsel and execution by all parties.
2. Recommend that the Board of Commissioners authorize the Executive Director to accept and incorporate into the Housing Authority's approved Fiscal Year 2005-2006 budget \$25,000 from the City of Bellflower and \$25,000 from the City of Paramount; and to take related actions to fund one half-time investigator to perform an aggregate of 1,040 hours of Section 8 Program investigative services, comprised of 520 hours within each city, over a 12-month period.
3. Recommend that the Board of Commissioners authorize the Executive Director to take any and all actions necessary to implement the services described herein; and to execute any necessary amendments to extend the term of the MOUs and increase the amount of compensation received from both cities, to be effective following approval as to form by County Counsel and execution by all parties.

Prior to Approval

Discussion took place regarding the MOU, and Ms. Glover provided clarifications.

**On Motion by Commissioner Gabriel, seconded by Commissioner Nguyen and unanimously carried, the following was approved by the Housing Commission:**

**APPROVE REVISED 2005 MEETING SCHEDULE  
AGENDA ITEM NO. 10**

**Agenda Item No. 11 - Housing Commissioner Comments and Recommendations  
for Future Agenda Items**

Commissioner Nguyen thanked staff for the information on summer youth activities at Nueva Maravilla.

Discussion took place regarding the average length of time that applicants remain on the Section 8 and Conventional Housing Program waiting lists. Discussion also took place regarding the length of time that residents remain on the programs.

The Housing Commissioners were invited to bring to the next meeting topics of interest for future workshops.

The next scheduled meeting of the Housing Commission will be held at 12:00 Noon on Wednesday, August 24, 2005, at the Francisquito Villa housing development located at 14622 Francisquito Avenue, Lomita, CA 90717.

On Motion by Commissioner Gabriel, the Regular Meeting of July 27, 2005, was adjourned at 1:33 p.m.


Respectfully submitted,

  
for CARLOS JACKSON  
Secretary -Treasurer

**Housing Authority - County of Los Angeles**

August 12, 2005

TO: Housing Commissioners

FROM: Bobbette A. Glover, Assistant Executive Director 

**SUBJECT: HOUSING COMMISSION QUARTERLY CONTRACT STATUS  
REPORT**

Attached is the quarterly contract status report, which includes all Housing Authority "active projects." These contracts have been approved by, or are pending approval by, the Housing Commission and Board of Commissioners and are in contract award, construction, or closeout phases. The report is primarily the summary status as entered in TRACKER by the assigned project managers of CMD, as of today.

One or more CMD representatives will be available at the August 24, 2005 Housing Commission meeting to answer questions.

Bg:rr:csreport 8-05

# Contract Status Report

<b>Project Filter Options</b>	<b>Program:</b> All Programs	<b>Proj. Manager:</b> All Managers
<b>District:</b> All Distr.	<b>Department:</b> Construction Management	<b>Team Member:</b> All Team Members
	<b>Dev. Stage:</b> Active	<b>Fund Source:</b> All funds

District	Project Name	Contractor Name	Original Contract Amount	Current Contract Amount	% Cng Orders	Approved Payments	%Cmpl	Status	
								Pending Action / Forecast	
1st	Maravilla Electrical Systems Tracker #: TP000279	Skips Electric Inc.	\$9,800	\$9,800	0%	\$0	0%	CM Division is continuing to review the bid received 3/1/05 in order to determine the feasibility of recommending award to that contractor.	
1st		EDWIN G. BOWEN COMPANY INC	\$467,907	\$546,084	17%	\$374,942	69%		
1st		ROKNI ELECTRIC COMPANY INC.	\$12,000	\$22,500	88%	\$22,500	100%		
1st		Edwin G. Bowen Company Inc.	\$74,876	\$74,876	0%	\$58,550	78%		
1st	Villa Nueva RHQP FY 04-05 Tracker #: TP001754	CWS Systems Inc.	\$244,231	\$249,817	2%	\$124,069	50%	As of 8/12/05, 19 of 21 units have been completed.	
2nd	107th St. Housing Development (501-02- M.L. CONSTRUCTION 03) Tracker #: TP000861		\$650,283	\$769,020	18%	\$475,231	62%	Ceramic tile at baths & interior prime, painting & clean up is all done. Kitchen cabinets are installed. Courtyard drainage and grading has started. Project approximately 65% complete. The estimated completion date is the end of November, 2005.	
2nd	88th-Beach Kitchen Rehab and Windows Tracker #: TP001169	TORRES CONSTRUCTION CORPORATION	\$78,000	\$75,600	-3%	\$79,680	105%	The release of the retention payment is pending Contractor's submittal of close out documents.	
2nd	Southbay Gardens Balconies and Exterior Renovation Tracker #: TP001508	M.L. CONSTRUCTION	\$880,000	\$880,000	0%	\$0	0%	Work starts on August 17, 2005.	
2nd	Various HMD Scattered Sites Roofing (FY 04-05) (502-03) Tracker #: TP001896	Cooper Roofing Service, Inc.	\$116,278	\$116,278	0%	\$109,429	94%	Final change order involving roof sheathing & fascia replacement is being negotiated. Currently all major work is completed at all sites; minor correction items remain at several sites which will be completed prior to the final inspection.	

District	Project Name	Contractor Name	Original Contract Amount	Current Contract Amount	% Cng Orders	Approved Payments	%Cmpl	Status	
								Pending Action / Forecast	
3rd	Westnoll & Palm Cabinet Replacement and Building Improvement Tracker #: TP001158	TORRES CONSTRUCTION CORPORATION	\$954,000	\$980,753	3%	\$963,153	98%	Final punch list items are 99% done. Closeout in progress.	
4th	Carmelitos Senior Common Area Flooring (FY 04-05) Tracker #: TP001192	HM Carpet, Inc.	\$131,725	\$122,425	-7%	\$50,939	42%	Resolving final payment with contractor. Evaluating his requests for change orders and credits. Contractor is gathering final submittals for release of retention. Final inspection was expected to be conducted on July 29, 2005.	
4th	Harbor Hills Community Center Tracker #: TP000275	EDWIN G. BOWEN COMPANY INC	\$3,570,000	\$4,005,278	12%	\$3,984,710	99%	Process remaining accrued payments and closeout project. Final change orders are currently being negotiated.	
4th	Harbor Hills Storage Shed Replacement (FY 04-05) Tracker #: TP001604	Ryco Construction, Inc.	\$431,134	\$442,866	3%	\$442,866	100%	Work was substantially completed on June 28, 2005; nearly 75 days ahead of schedule. We are processing accrued payments and expect to release the retention by the end of August.	
4th	Harbor Hills Tub Replacement 501-02 Tracker #: TP001171	Natural Building Maintenance	\$900,000	\$997,471	11%	\$997,471	100%	Contractor needs to submit warranty, product data information, and other close-out documents. CMD will advise HMD to release the retention payment upon review of the close-out documents.	
4th	Heater Replacement for Carmelitos Tracker #: TP002015	Sun Mechanical Company	\$324,060	\$324,060	0%	\$165,483	51%	Work is ongoing; the contractor is able to do 10-12 heaters per day. There are no extraordinary issues to date. Work in progress should be completed by September.	
5th	Orchard Arms Heater Replacement (FY 04-05) Tracker #: TP001607	Sun Mechanical Company	\$132,256	\$101,249	-23%	\$101,249	100%	A change order is being finalized to take a credit of \$30,000 because City of Valencia Building and Safety Inspector says that the existing 'B' type vents do in fact meet the code requirements. Therefore, no more demolition or replacement is necessary. Punchlist and closeout by the end of August.	
TOTALS:			\$8,976,549	\$9,718,077	8%	\$7,950,273			

**Housing Authority - County of Los Angeles**

**FOR YOUR INFORMATION ONLY**

August 24, 2005

TO: Housing Commissioners  
FROM:  Bobbette Glover, Assistant Executive Director

**SUBJECT: STATE AND LOCAL HOUSING FLEXIBILITY ACT OF 2005**

Attached, for your review, is a summary of the State and Local Housing Flexibility Act (SLHFA) of 2005 and Carlos Jackson's written testimony on the bill. The SLHFA is the proposed legislation that was discussed at July's Housing Commission meeting. The summary, prepared by the Council of Large Public Housing Authorities (CLPHA), compares each provision of the proposed legislation with the current program. As you will see, much of the legislation proposes to impact the Section 8 Housing Choice Voucher program, however there are some provisions that alter the Public Housing program. There are also some provisions that impact the Moving to Work program, however we do not participate in this program. The written testimony was submitted per the request of Congressman Gary Miller of the 42<sup>nd</sup> Congressional District. The testimony was submitted to the House Subcommittee on Housing and Community Opportunity, which is chaired by Congressman Miller.

Hearings have been held in the House of Representatives, however nothing has been scheduled for the Senate. The legislation is not expected to pass this year; it is expected that it may move next year. We will continue to monitor the legislation and update you on any significant movement.

Feel free to contact me should you have any questions

BG:ajm:SLHFA2005



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of the County of Los Angeles**

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**Gloria Molina  
Yvonne Brathwaite Burke  
Zev Yaroslavsky  
Don Knabe  
Michael D. Antonovich**  
Commissioners

**Carlos Jackson**  
Executive Director

May 16, 2005

The Honorable Gary G. Miller, Vice Chairman  
Subcommittee on Housing and Community Opportunity  
B-303 Rayburn House Office Building  
Washington, D.C. 20515-6052

Dear Congressman Miller:

**WRITTEN TESTIMONY FOR HEARING ON H.R. 1999,  
THE STATE AND LOCAL HOUSING FLEXIBILITY ACT OF 2005**

On behalf of the Housing Authority of the County of Los Angeles, I am pleased to provide you with the attached written testimony for the hearing scheduled for Tuesday, May 17, 2005, on H.R. 1999, the State and Local Housing Flexibility Act of 2005. We appreciate the opportunity to address the Subcommittee on Housing and Community Opportunity on the proposed changes to the Section 8 Housing Choice Voucher and Public Housing programs.

Please contact me at (323) 890-7400 should you have any questions.

Sincerely,

**CARLOS JACKSON**  
Executive Director

CJ:TG:TT:ds

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Attachment



Testimony of Carlos Jackson, Executive Director, Los Angeles County  
Community Development Commission and Housing Authority of the County of  
Los Angeles, sent to the House Financial Services Subcommittee on Housing  
and Community Opportunity

May 16, 2005

Thank you for the opportunity to submit written testimony to your Subcommittee on H.R. 1999, the State and Local Housing Flexibility Act of 2005, introduced by the Honorable Gary Miller of the 42<sup>nd</sup> Congressional District.

The Housing Authority of the County of Los Angeles (HACoLA) is the fifth largest administrator of Section 8 rental assistance in the country. On behalf of the County of Los Angeles, HACoLA:

- Administers over 20,000 Section 8 vouchers;
- Manages vouchers on behalf of the unincorporated areas of Los Angeles County and 68 of the County's 88 cities;
- Works in partnership with over 10,000 property owners; and
- Manages over 3,600 units of conventional and non-conventional Public Housing at 71 sites throughout Los Angeles County.

In Southern California, we are faced with a real estate market that is distinguished by high rents and low vacancy rates. The average monthly rent for a two-bedroom unit is \$1,323, the vacancy rate is a low four percent, and only 17 percent of families in Los Angeles County are able to afford the median price of a home which has increased to over \$460,000<sup>1</sup>. However, given all this, we have been able to achieve a 99 percent lease-up rate in our Section 8 program.

We are serving Los Angeles' neediest residents with 74 percent of our Section 8 participants and 91 percent of our Public Housing residents earning at or below 30 percent of the Area Median Income (AMI) and 23 percent of our Section 8 participants, and only six percent of our Public Housing residents earning between 30 to 50 percent of AMI.

Over the last few years, Public Housing Authorities (PHAs) such as HACoLA have seen sharp reductions in administrative fees, which are used to support our Section 8 program operations. In the last two years we've received approximately seven percent less in administrative fees from the U.S. Department of Housing and Urban Development (HUD) to operate our program. As a result of these funding reductions, it is necessary that HUD implement measures aimed at reducing the cost of administering the Section 8 program.

Given the nature of the real estate market in Los Angeles County, reductions in administrative fees hamper our concerted efforts to attract and retain property

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<sup>1</sup> California Association of Realtors, May 2005.

owners, as we have to compete with the private market to attract and retain these owners. Also, HUD has reduced our administrative fees at a time when we were expanding our outreach efforts to attract and retain property owners.

Earlier this year, the Los Angeles County Board of Supervisors adopted changes to the Section 8 program in order to realize cost savings necessary to meet an approximate \$3.7 million reduction in funding from HUD. The Board of Supervisors made changes to HACoLA's Section 8 program, which reduced payments to landlords, modified occupancy standards, suspended admissions to the Family Self-Sufficiency program, restricted portability to higher cost areas, modified the method by which tenant income increases are processed and required single-parent households to register with the Child Support Services Department to obtain child support. These changes were necessary to accommodate reductions in Section 8 Housing Assistance Payments (HAP) and administrative fees.

### Flexible Voucher Act

The Flexible Voucher Act eliminates vast regulations associated with the current Section 8 Housing Choice Voucher Program and proposes a simpler plan for PHAs to administer a housing assistance program. The Section 8 program has undergone recent changes to the funding methodology from one that is cost-based to budget-based. The Act proposes that the funding be in the form of a block grant. While HACoLA understands the necessity of containing costs, it must be said that it is extremely difficult to administer a housing assistance program that is block granted, as block grants assume that costs remain constant and they do not keep up with rising costs such as housing. Having said that, we would like to comment on a few specific areas of the Act – several which we favor and some areas where we have concerns. I will also address two critical issues that we would strongly urge be addressed in the Act.

There are several areas in the Act that HACoLA would like to see implemented because we believe they would have a positive impact on the program by reducing unnecessary administrative burdens and helping to streamline the lease-up and management processes. I am going to highlight six of those areas in the Act, which are:

- ❑ Use of gross income in calculations;
- ❑ Reduction of PHAs obligation to inspect 100 percent of units;
- ❑ Reduction of PHAs annual obligation to perform income recertifications;
- ❑ Flexibility to establish appropriate rent structures;
- ❑ Simplification of performance standards; and
- ❑ Restriction of Portability.

### *Gross Income*

The first area is using gross income in calculations, and doing away with deductions and exclusions, of which there are currently 39 income exclusions and four deductions allowed under the Section 8 program. This proposed change in the Act will save substantial time by reducing third-party verifications which are time consuming and costly, and the change will minimize rent miscalculations.

### *Inspections*

With reduced administrative fees, the Act's provisions, which allow PHAs the option to inspect 25 percent of the units, would enable PHAs to focus on other priority areas that fluctuate due to general market conditions. These positive program changes will save both time and administrative fees. Also, it would not subject property owners, especially those that have traditionally been in compliance, to annual inspections.

### *Recertifications*

Another area in the Act is reducing PHAs annual obligation to perform income recertifications and inspections. This would provide maximum program efficiency in these areas because social security and supplemental security incomes change very little and the process of collecting the information is burdensome for the participants and time consuming for PHAs.

### *Rent Structures*

A very welcome and necessary component of the Act is giving PHAs the flexibility to establish appropriate rent structures for their housing market area. As already mentioned, housing is a "what the market will bear" commodity. Without the ability to establish rents based on the amount of funding, some families may lose assistance as housing costs rise. Flexibility in this area is a must to ensure that PHAs can adjust quickly to changes in the local real estate market.

### *Performance Standards*

Another welcome change in the Act is simplification of the performance standards used to monitor the program. The current Section Eight Management Assessment Program (SEMAP) does not capture the proper environment the program operates within. For example, when we perform an annual recertification for a family, the system does not capture the number of attempts made, or the number of times different family members turn in pieces of information. The process may take more than two months in working with the family, but SEMAP will only show that the deadline was missed, even if it was only by a day. As a result, we would receive zero credit for that recertification and that zero is rolled into the overall score. Many of the indicators are tracked in this fashion, failing to capture the true picture of PHAs actual work. SEMAP also fails to incorporate the human element into the measurement system.

Currently, deadlines are imposed without consideration of client population, requirements of property owners, or geographic pressures.

HACoLA would like Congress to ensure that the measured standards are reality-based. For example, the real estate market and vacancy factors need to be taken into account when looking at lease-up and homeownership rates. The Act uses the number of families that have achieved homeownership as a measuring standard, and proposes bonuses to PHAs that achieve high homeownership rates. The measure is an unfair measurement of a PHA's performance of duties. In Southern California, in particular Los Angeles County, the median price of a home is over \$460,000 and only 17 percent of those living in Los Angeles can afford to purchase a home. In order for us to make a home affordable to families participating in our homeownership programs, after land is donated for development purposes, we provide approximately \$100,000 in subsidies to the family. HACoLA should not be expected to measure up to homeownership rates in less expensive parts of the State or country. HACoLA would like to see a system in which program effectiveness takes into account the environment in which the PHA is located. It is critical that HUD provides more information on what the performance standards would be before Congress passes this Act.

#### *Portability*

The Act's provisions to restrict portability are a most welcome change. The portability issue has become overly burdensome to track and bill. HACoLA supports HUD restricting portability, but cautions Congress about any attempts by HUD to do a one-time transfer of the existing ported vouchers. Careful consideration is necessary to transition the existing ported vouchers.

I have shared many of the positive aspects of this Act with you. Now I would like to discuss a few of the Act's provisions that HACoLA has significant concerns with and we would like to work with the Committee to remedy. I am going to highlight four of those areas, which are:

- ❑ Elimination of the requirement for PHAs to perform criminal background checks;
- ❑ Proposed negotiated rulemaking method;
- ❑ Absorption of enhanced vouchers after one year; and
- ❑ Termination clauses.

#### *Criminal Background Checks*

The Act proposes the elimination of requiring PHAs to perform criminal background checks. The Act gives the authority to property owners to determine if the tenants have performed any prohibited activities. The criminal background checks are important in maintaining program integrity. HACoLA does not believe that owners will make such determinations, or follow the full criminal background check process. The result will be convicted felons, including registered lifetime sex offenders, receiving federal housing assistance without a case-by-case

review, which is the current practice. HACoLA recommends that the criminal background checks continue to be required and also that HUD provide funding for them in order to maintain program integrity and efficient use of federal funds. Conducting criminal background checks of applicants lends credibility to our program and it is a major factor for property owners who are contemplating participating in the Section 8 program. We firmly believe that Section 8 and Public Housing should not be seen as housing of last resort and that it should be for those families that are in good standing. By conducting criminal background checks, we have helped to discredit the negative stigma that many have against Section 8 and Public Housing residents.

#### *Negotiated Rulemaking*

A critical concern for HACoLA is the Act's proposed negotiated rulemaking method to determine continued funding for the program, both in HAP and administrative fees. This process was recently used with Public Housing and there is much ongoing controversy with HUD on this process. HACoLA realizes that actual costs are not getting funded, and we ask that Congress impose some ground rule requirements on HUD while funding methods are being considered.

#### *Enhanced Vouchers*

The Act also proposes to fund enhanced vouchers for a period of one year and then require PHAs, without additional resources, to absorb the costs thereafter. This would place additional burdens on PHAs limited existing resources. A PHA may not have a sufficient number of turnover vouchers available to be able to absorb any enhanced vouchers. If HUD requires PHAs to take on the enhanced vouchers, it is essential that funding continue to be provided for them.

#### *Termination Clauses*

A provision in the Act states that "during the term of a lease" an owner may only terminate for good cause. HUD must define if this means during the first year of the lease, or if this also means that it applies month-to-month after the first year. If it applies after the first year, it creates a perpetual lease and HACoLA would be strongly against that. Mandating that owners may only terminate for good cause will greatly reduce the number of owners willing to rent to voucher holders, making it more and more difficult for families to find housing as time goes on. We do not want to burden property owners with automatic renewals. This would be a disincentive for participation in the Section 8 program. In the Public Housing program, leases are not renewed automatically – they are annual leases. The term of leases should be consistent amongst these two programs. Also, it is important that we not interfere with property owner/tenant legal agreements by imposing additional restrictions on property owners.

Lastly, I wish to address two critical issues: 1) assistance to non-citizens without proper documentation; 2) and fraud prevention. The Act is silent on both of these, and HACoLA cannot wait 18 months for HUD to issue a final rule on these matters.

### *Non-citizens*

Current law specifies that non-citizens without proper Immigration and Naturalization Services (INS) documentation are not provided housing assistance under the Section 8 program. HACoLA prorates assistance for families that fall into this category. However, the proposed bill does not address the ineligibility of non-citizens without proper documentation. This must be addressed otherwise HACoLA may be forced to pay the full assistance, which would significantly increase our HAP.

### *Fraud Prevention*

Under current regulations, HACoLA is permitted to retain some of the funds recovered from the fraud recovery process. The proposed bill does not address fraud prevention and it should be addressed as well, either in statute or in accompanying report language, in order for us to continue to operate a fraud prevention program.

### Public Housing Rent Flexibility and Simplification Act

The Operating Fund for Public Housing has been drastically reduced over the last few years. Since we can no longer support Public Housing with Section 8 reserves, some of the changes proposed in the bill will help us to administer the program.

There are a few changes that HACoLA supports and we will be highlighting two of those changes, which are:

- Reduction of PHAs annual obligation to perform income recertifications; and
- Elimination of income exclusions.

### *Income Recertifications*

The changes proposed by the Act with regards to income recertifications for Public Housing residents, especially for senior and disabled families would lift a significant administrative burden from local PHAs. As proposed, family income would be reviewed not less than once every three years for elderly and disabled Public Housing residents, many of whom receive benefits from the Social Security Administration. Under current HUD regulations, this process must begin 120 days before the residents' anniversary date. The repeal of annual recertifications for elderly and disabled residents will allow for more effective use of staff resources by eliminating time-consuming processes like verifying third-party documentation.

### *Income Exclusions*

The Act's provisions, which repeal income exclusions and the Earned Income Disallowance, are a welcome change for Public Housing as it shifts to an asset-

based management system. Applying these provisions in the determination of a family's Total Tenant Payment is a time-consuming process that often results in rent miscalculations.

I have shared two areas of the Act regarding Public Housing that I support and I want to discuss another area on rent structures that I believe has some merit.

### *Rent Structures*

The Act includes changes to the rent structure for the Public Housing program. We believe that the flexibility proposed by the different rent structures has some merit. However, careful consideration must be given so that the flexibility of the rent structure does not result in an added rent burden to Public Housing residents. There is the potential of burdening Public Housing residents with higher rents as a means to cover the difference resulting from decreased funding for the program.

Care must be given so that "rent flexibility" will not be used as a means to fill the funding gap caused by a decade of decreased funding for the program under the guise of flexibility and asset management.

Lastly, there are two issues, termination of assistance for registered sex offenders and repeal of annual inspections, that are being proposed for the Section 8 program that we would like to see extended to the Public Housing program.

### *Sex Offenders & Inspections*

Section 202 is a small portion of the overall bill, which predominately addresses changes to the Section 8 program. In particular, PHAs will benefit from the enhanced provision for termination of assistance for persons subject to a lifetime registration requirement under a State sex offender registration program and the repeal of 100 percent annual unit inspections. These two provisions are proposed for the Section 8 program, but were not extended to the Public Housing program. Additionally, the bill, in its current form, could better strengthen the Public Housing program in its efforts to provide greater "flexibility" and enhanced tools to keep Public Housing free of crime.

### Conclusion

On behalf of Los Angeles County, I thank you for the opportunity to provide comments. We encourage further discussions to seek ways that the Section 8 and Public Housing programs can remain a viable source for building better lives and better neighborhoods for low-income families, and the elderly and disabled.

## State and Local Housing Flexibility Act of 2005: HUD Legislation Will Significantly Change Section 8, Public Housing, and Moving-to-Work Programs

On April 13, 2005, Senator Wayne Allard (R-CO) introduced S.771, the State and Local Housing Flexibility Act of 2005. The Act intends to “better assist low-income families to obtain decent, safe and affordable housing as a means of increasing their economic and personal well-being through the conversion of the existing section 8 housing choice voucher program into a flexible voucher program and for other purposes.”

The Act has three parts: The first part replaces the existing voucher program with a Flexible Voucher Program.<sup>1</sup> The second part reforms rent setting and income recertification procedures in public housing. The third part permanently authorizes the Moving-to-Work demonstration.

### PART ONE

#### The Flexible Voucher Program

Table 1 presents a side-by-side comparison of how the major changes proposed by HUD in this year’s Flexible Voucher Program differ from the current law.

Table 1: Comparison of Current Law and FVP.

Key Provision	Current Law	Change Proposed in FVP
<b>FUNDING</b>		
<i>Allocation and Distribution of Funds</i>	Different renewal funding formulas every year since 2003.	In 2006, PHAs would receive an amount proportionate to their annual 2005 funding for HAP and administrative fees, adjusted for inflation and subject to validation. <b>Negotiated rulemaking within 2 years of enactment to determine a renewal funding formula.</b>
<i>Administrative Fees</i>	Currently a pro rata share of the previous year’s allocation. Special	HUD can retain up to 5% of its administrative fee allocation for

<sup>1</sup> This Flexible Voucher Program differs from that introduced by HUD last year, which was not authorized by Congress. The differences between the 2004 and 2005 proposals are not the subject of this paper.

Key Provision	Current Law	Change Proposed in FVP
	fees awarded in previous years for a) audit costs; b) hard-to-house families; c) lead-based paint risk assessments; d) tenant-based homeownership assistance; and e) housing conversions.	special fees to PHAs for non-routine expenses associated with a) tenant-based homeownership assistance; b) family self-sufficiency coordinators; and c) lead-based paint risk assessments.  <b>Through negotiated rulemaking, HUD would establish a permanent formula for distributing administrative fees.</b>
<b>ELIGIBILITY</b>		
<b>Income Targeting</b>	75% of vouchers in each fiscal year are reserved for families earning no more than 30% of median income; 25% can go to families up to 80% of median income.  HUD will make adjustments for smaller or larger families and areas of unusually high or low income.	90% of vouchers in a year are reserved for families at or below 60% of median income; 10% can go to families at or below 80% of median income.  HUD will make adjustments for smaller or larger families and areas of unusually high or low income.
<b>Term Limits</b>	No term limits.	PHAs can impose term limits as of 1/1/08. Term limits cannot be less than 5 years and cannot apply to elderly and disabled families.
<b>Preferences</b>	PHAs may establish a system for making assistance available to eligible families having certain characteristics based upon local housing needs and priorities as determined by the PHA using generally accepted data sources.	PHAs shall establish a system for making housing assistance available to eligible families. This system may include preferences for certain eligible populations identified by the PHA. A PHA may establish a preference for persons with a specific disability.
<b>Termination for Criminal Activity</b>	Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other tenants or of persons residing in the immediate vicinity of the premises	PHA may deny assistance based on the actions by a family member and may terminate assistance based on actions by a family member or any guest or

Key Provision	Current Law	Change Proposed in FVP
	<p>or any violent or drug-related criminal activity on or near such premises, engaged in by a tenant, any member of the tenant's household or any guest or other person under the tenants control, shall be cause for termination of tenancy.</p>	<p>other person under the family's control if that family member or other person engaged</p> <ul style="list-style-type: none"> <li>a) in any criminal activity on or off the premises;</li> <li>b) alcohol abuse that threatens the health, safety or right to peaceful enjoyment of the premises by other residents;</li> <li>c) parole violation, probation violation, or flight to avoid prosecution, custody or confinement after conviction; or</li> <li>d) other acts that subject the person to a lifetime registration requirement under a State sex offender program.</li> </ul>
<b>SPECIAL POPULATIONS</b>		
<p><b><i>Elderly and Disabled Families</i></b></p>	<p><i>Examples of how the current law treats elderly and disabled families:</i></p> <ul style="list-style-type: none"> <li>• Voucher funds can be used for shared housing.</li> <li>• PHAs can make assistance payments on behalf of a family that uses an assisted living facility as a principal place of residence.</li> <li>• 25% project-based voucher requirement does not apply to dwelling units that are specifically made available for the elderly, disabled families and families receiving supportive services.</li> <li>• For the homeownership program, HUD may consider</li> </ul>	<p>Until 1/1/09 current tenants who are elderly and disabled would be treated in accordance with the US Housing Act of 1937 as it existed prior to SLHFA.</p> <p>PHAs must implement a policy to ensure that the needs of elderly and disabled families are met. PHAs should have policies in place by the above date.</p>

Key Provision	Current Law	Change Proposed in FVP
	public assistance as income in the case of elderly and disabled families.	
<b>SUBSIDY LEVELS AND RENTS</b>		
<b><i>Subsidy Levels and Fair Market Rents</i></b>	<p>PHAs can set minimum rents from \$0 to \$50.</p> <p>PHAs can set payment standards from 90 to 110% of the Fair Market Rent without HUD approval. PHAs can set exception payment standards of up to 120% of FMR with prior HUD approval.</p>	<p>PHAs shall establish a minimum monthly rental amount to be paid by each family.</p> <p>PHAs are to establish maximum subsidy levels that are reasonable and appropriate for the market area.</p> <p>Elderly and disabled families would pay rent in accordance with the policies to be developed by PHAs.</p>
<b><i>Rent Reasonableness</i></b>	Rents shall be reasonable in comparison with rents charged for comparable dwelling units in the private, unassisted local market.	<p>PHAs shall set rents that are reasonable and appropriate in comparison for rents charged for dwelling units of a modest nature and a non-luxury standard in the private, unassisted local market.</p> <p>PHAs shall review rents not less than annually.</p>
<b><i>Rent Flexibility</i></b>	<p>PHAs shall determine rents by using the highest of</p> <ol style="list-style-type: none"> <li>1) 30% of monthly adjusted income;</li> <li>2) 10% of monthly income; or</li> <li>3) Payments for actual housing costs from a welfare program.</li> </ol>	<p>PHAs can determine rents by using</p> <ol style="list-style-type: none"> <li>1) A flat amount of rent adjusted on the basis of an annual cost index;</li> <li>2) An income tiered rent structure adjusted on the basis of an annual cost index;</li> <li>3) Amount of rent based on a percentage of family income;</li> <li>4) Amount of rent based on the rent provisions of Section 8 (o)(2) of the US Housing Act of 1937 as it existed prior to</li> </ol>

Key Provision	Current Law	Change Proposed in FVP
		FVP; or 5) Any combination of the above.
<b>ADMINISTRATIVE REQUIREMENTS</b>		
<i>Review of Income</i>	Once a year for all families.	PHAs are required to review family incomes at least once every 2 years; elderly and disabled once every 3 years.
<i>Inspection of Units</i>	<p>PHAs may use HUD's HQS or local codes if the local codes meet or exceed HQS and do not restrict housing choice.</p> <p>Large PHAs must conduct initial inspections within a reasonable time after the family submits a request for tenancy approval.</p> <p>All units are inspected every 12 months.</p>	<p>PHAs can use standards established or approved by HUD.</p> <p>PHAs must inspect each unit within 60 days of the initial assistance payment.</p> <p>Thereafter, PHAs will annually inspect at least 25% of units so that one unit is inspected every 4 units.</p> <p>PHAs shall determine that all occupied dwelling units receiving assistance are maintained in accordance with the standards chosen by the PHA.</p>
<i>Performance Standards</i>	<p>SEMAP. Indicators on</p> <ol style="list-style-type: none"> <li>1) Selection from the waiting list;</li> <li>2) Reasonable rent;</li> <li>3) Determination of adjusted income;</li> <li>4) Utility allowance schedule;</li> <li>5) HQS inspections;</li> <li>6) HQS enforcement;</li> <li>7) Expanding housing opportunities;</li> <li>8) Deconcentration (bonus);</li> <li>9) Payment standards;</li> <li>10) Annual reexaminations;</li> </ol>	<p>HUD will establish new performance standards as well as a new performance assessment system, which will reward PHAs for good performance and hold them accountable for poor performance.</p> <p>In developing the performance standards or in evaluating the performance of a PHA, HUD may require the PHA to provide and report information on</p> <ol style="list-style-type: none"> <li>1) the number of households and persons receiving assistance including</li> </ol>

Key Provision	Current Law	Change Proposed in FVP
	<p>11) Correct tenant rent calculations;</p> <p>12) Pre-contract HQS inspections;</p> <p>13) Annual HQS inspections;</p> <p>14) FSS enrollment and escrow accounts (only for PHAs with mandatory FSS programs)</p>	<p>a) the number of families with children,</p> <p>b) the number of elderly families,</p> <p>c) the number of disabled families, and</p> <p>d) general demographic information and income levels for each families</p> <p>2) Actual subsidy per family</p> <p>3) Administrative costs incurred by the PHA; and</p> <p>4) Other information to be determined by the Secretary</p> <p>Each PHA must provide these reports to the public on the Internet not less than once every 12 months.</p> <p>For PHAs with a failing score on the new performance assessment system, HUD can</p> <p>1) Have their grant administered by 1 or more PHAs</p> <p>2) Have a receiver appointed to manage the grant; or</p> <p>3) Set a specific deadline for improvement.</p> <p>If HUD finds that a PHA has failed to comply with any provision of FVP, it may</p> <p>1) Terminate payments and provide for alternative administration;</p> <p>2) Withhold from the PHA amounts from the total</p>

Key Provision	Current Law	Change Proposed in FVP
		<p>allocation;</p> <p>3) Reduce the amount of future grants by an amount equal to the amount of grants that were not expended;</p> <p>4) Limit the availability of amounts to programs and activities not affected by PHA's failure to comply;</p> <p>5) Withhold from the PHA other amounts allocated under other programs;</p> <p>6) Require changes in PHA policy or management practices;</p> <p>7) Refer any failure to comply to Federal, State, or local enforcement agencies;</p> <p>8) Impose civil money penalties; or</p> <p>9) Take any combination of the above actions.</p>
<b>OTHER VOUCHERS</b>		
<i>Portability</i>	<p>Any family may move. PHAs can require incoming families to have leased and occupied a unit for 12 months.</p> <p>The receiving PHA bills the initial PHA for rental costs. The receiving PHA can absorb the family.</p>	<p>In order to be eligible to move, families must have received rental assistance for at least 12 months and be in compliance with section 8 of the US Housing Act of 1937.</p> <p>PHAs can enter into agreements with other PHAs within the same state or region to facilitate the ability of transfer-eligible families to transfer their assistance to another jurisdiction within the same state or region. Under certain conditions, PHAs can establish regions encompassing more than 1 state or the District of Columbia.</p>
<i>Enhanced</i>	No time limit.	12 month grace period for

Key Provision	Current Law	Change Proposed in FVP
<b><i>Vouchers</i></b>		<p>current holders of enhanced vouchers. After the expiration date, any amounts not expended shall be included in the subsequent grant to each PHA.</p> <p>After the expiration date, assistance shall be calculated in accordance with standard voucher rules.</p>
<b><i>Project-Based Rental Assistance</i></b>	<p>Project-basing limited to not more than 20% of a PHA's funding. Not more than 25% of the dwelling units in any building may be assisted.</p> <p>Voucher holders may relocate and continue to receive assistance so long as the family has occupied the unit for 12 months.</p>	<p>Same.</p> <p>Families can relocate if they have occupied the unit for 12 months and they relocate within the jurisdiction of the PHA in which they currently reside. The PHA shall not be required to provide housing assistance in an amount higher than the assistance provided to the family prior to the relocation.</p> <p>Current project-based voucher holders will continue to receive assistance subject to the terms and conditions of their contracts from amounts made available under this title.</p>
<b><i>Homeownership</i></b>	<p>PHAs can provide either monthly homeownership assistance or a single grant to be used only as a contribution toward the downpayment.</p> <p>The amount of a downpayment grant may not exceed the amount that is equal to the sum of the assistance payments that would be made during the first year of assistance on behalf of the family.</p>	<p>PHAs can provide families with either monthly homeownership assistance or a single grant to be used only as a contribution toward the downpayment and reasonable and customary closing costs.</p> <p>This grant may not exceed \$10,000.</p> <p>Families currently receiving homeownership assistance will continue to receive assistance subject to the terms and</p>

Key Provision	Current Law	Change Proposed in FVP
		conditions of the US Housing Act of 1937 that was in effect before enactment of FVP.
<b>OTHER</b>		
<b>Troubled PHAs</b>	HUD may impose various remedies on troubled PHAs.	Troubled PHAs cannot implement new requirements for eligible families, inspections, and rent flexibility.

## PART TWO

### Public Housing Rent Flexibility and Simplification

Table 2 summarizes the changes to public housing. The major changes concern rent setting, income recertifications, deconcentration, and the family self-sufficiency program.

Table 2: Comparison of Current Law and Public Housing Rent Flexibility and Simplification Act

Key Provision	Current Law	Change Proposed in PHRFSA
Rent setting	<ul style="list-style-type: none"> <li>(1) Families must pay the highest of the following: 30 percent of adjusted income, 10 percent of income, or a designated portion of welfare payments.</li> <li>(2) Establishes allowable rent structures and hardship provisions</li> <li>(3) Sets forth minimum rent amounts (up to \$50)</li> </ul>	<ul style="list-style-type: none"> <li>(1) PHAs shall determine rents. Rents may be flat, tiered, income-based, or based on provisions in place previous to this change. A different rent structure may be created if it contains one or more of the provisions in this subparagraph. Retains the rent amounts described at left.</li> <li>(2) This section is eliminated.</li> <li>(3) This section is eliminated.</li> </ul>
Initial eligibility	Income may not exceed 80 percent of Area Median Income	(1) Public housing shall be rented to low-income

Key Provision	Current Law	Change Proposed in PHRFSA
		families with no significant assets. Asset limitation to be determined by Secretary.
Review of family income	Reviews of family income shall be made at least annually.	(1) Eligibility shall be reviewed at least every 2 years. (2) Elderly and disabled families shall be reviewed for eligibility at least every 3 years.
Elderly and Disabled Families	No special policies required.	Rents for existing elderly and disabled residents shall be set under the previous provisions until Jan. 1, 2009. New residents shall also be treated in accordance with the previous provisions until Jan. 1, 2009, unless the PHA has a new policy in place to address the needs of elderly and disabled residents prior to Jan. 1, 2009. All PHAs must have such a policy in place by Jan. 1, 2009
Escrow Savings Accounts	PHAs shall establish escrow savings accounts for families participating in the Family Self-Sufficiency Program.	PHAs may establish escrow savings accounts for any resident and may match savings with other public or private funds.
Definitions	<i>Families</i> defined as to include families with children, disabled families and elderly families.  <i>Income</i> means income from all sources of each member of the household as determined in accordance with criteria established by the Secretary.  Income eligibility is determined at time of initial occupancy only.	Adds definitions of disabled family, elderly family, family, income, police officer, PHA, and over-income family.  <i>Family</i> is determined by the PHA.  <i>Income</i> for this section means all income except where a PHA has approved deductions or exclusions.

Key Provision	Current Law	Change Proposed in PHRFSA
		<i>Over-income family</i> determination is no longer limited to being over-income "at the time of initial occupancy."
Availability of Income Matching Information	PHAs or owners must require families who live in public housing or who receive tenant-based or project-based vouchers and who receive information regarding income from HUD to disclose such information to the PHA.	PHAs must require families who live in public housing and who receive information regarding income from HUD to disclose such information to the PHA.
Income Exclusions	Provides for permissive exclusions in determining income.	Eliminates these exclusions.
Disallowance of Earned Income from Rent Determination	Earned income is phased in. Earned income is disallowed for 12 months following employment. Over the next 12 months, 50 percent is allowed.	Inserts "that receives assistance under section 8" to the description of families eligible for disallowance of earned income from rent determination
Eligibility for assisted housing	Prohibits concentration of low-income families and requires policy to provide for deconcentration.	Eliminated.
Family Self-Sufficiency Program	Includes an earned-income disregard, a requirement for the amount to be deposited in an escrow account, and a requirement for PHAs to establish a plan to encourage families to participate.	Eliminates all requirements except for a general requirement for a PHA to have a plan to offer incentives to encourage families to participate.

### PART THREE

#### The Moving to Work Program

In SLHFA, HUD proposes permanently authorizing the Moving-to-Work program. Table 3 summarizes the key differences between BBC, SLHFA and the current law.

Table 3: Comparison of BBC, SLHFA and the Current Law.

Key Provision	BBC	SLHFA	Current Law
<i>Funding Flexibility</i>	PHAs may combine public housing operating and capital assistance and Section 8 vouchers for any eligible purposes of those programs and for other housing purposes and services to or for low-income families as described in the PHA's plan.	Same as BBC on combining funds, but unclear whether funds may be used for other housing purposes and services as BBC provides.	Public housing Operating Funds and Capital Funds, and Section 8 voucher funds, may only be used for purposes specified in the U.S. Housing Act of 1937 (the "1937 Act").
<i>Targeting</i>	Not less than 75% of families initially receiving assistance in a year must have incomes that do not exceed 50% of AMI.	Not less than 90% of funds must be targeted to assist families with gross incomes not exceeding 60% of AMI. No annual targeting (i.e., for families initially receiving assistance).	Public Housing: At least 40% of units made available each year must go to families with incomes not exceeding 30% of AMI, with remainder up to 80% of AMI.  Vouchers: At least 75% of vouchers made available each year must go to families with incomes not exceeding 30% of AMI, with remainder up to 80% of AMI.
<i>Income Eligibility and Rents</i>	<u>Elderly and Disabled Families</u> : Retains current law.  <u>Other Families</u> : PHAs must establish reasonable local eligibility and rent policies based on a local affordability standard that <i>permits a PHA to serve a mix of families substantially similar to</i>	<u>Public Housing</u> : For all families (including Elderly and Disabled) PHAs may establish a reasonable rent policy as allowed under the Rent Simplification Flexibility.  <u>Vouchers</u> : Same as public housing, except Elderly and Disabled families currently receiving assistance would be exempt until 2009.	<u>Eligibility</u> : Up to 80% of AMI based on adjusted income, which means all household income (as determined by HUD) after application of various mandatory and permissive exclusions from income.  <u>Rents</u> : Generally, 30% of adjusted income.

Key Provision	BBC	SLHFA	Current Law
	<i>those it now serves.</i> Rents may not exceed those permitted in the Low Income Housing Tax Credit Program.		
<i>Households Served</i>	PHAs must continue to assist <i>substantially the same number</i> and mix (by bedroom size) of households as were served prior to the agency's participation in the program. (Same as current law.) This allows modest, temporary reduction in households served so PHAs can fund housing development. PHAs may also serve more families with shallower subsidies.	No comparable provision.	PHAs must continue to assist <i>substantially the same number</i> and mix (by bedroom size) of households as were served prior to the agency's participation in the program. For public housing, this means units under ACC. Until recently, it also meant vouchers under ACC, but is now unclear under a budget based voucher funding system.
<i>Resident Consultation</i>	PHAs must consult with a Resident Advisory Board.	No comparable provision. ("PHA must consult with representatives of the community that represent a broad range of the various interests affected by the Moving to Work Program.")	Public hearing required for admission of a PHA into MTW. Resident consultation required for annual MTW Plan.
<i>Amount of Funding</i>	Requires full funding of PHA programs. For each fiscal year, PHA receives amount needed to fully fund (i) vouchers authorized under ACC, and (ii) PHA needs under the Operating Fund and Capital Fund programs for all public housing units under ACC. Assistance adjusted	No comparable provision. Funding provided under otherwise applicable law. The amount of assistance received by a PHA "shall, subject to appropriations, not be affected by its participation" in MTW.  No renewal funding formula.	The amount of funding a PHA receives under MTW shall not be diminished by its participation.

Key Provision	BBC	SLHFA	Current Law
	annually for additional units and adjustment factor reflecting local housing costs.		
<i>PHA Eligibility</i>	All PHAs who are at least standard performers under PHAS.	<p><u>Participation in New MTW Program:</u> A PHA <i>may submit an application</i> to participate if it:</p> <p>(1) is a current MTW participant; or</p> <p>(2) is a high performer under PHAS <u>and</u> SEMAP; or</p> <p>(3) has at least 500 public housing units; or</p> <p>(4) has at least 500 vouchers; or</p> <p>(5) meets other HUD criteria, such as demonstrated capacity to develop and manage a successful MTW program; demonstrated compliance with program statutes and regulations; commitment of non-federal resources; and demonstrated commitment of unit of general local government to removing regulatory barriers to affordable housing.</p> <p><u>Effect on Current MTW Participants:</u> A current MTW participant:</p> <p>(1) may continue to operate its MTW program for the term of its Agreement (but unclear what "in accordance with the requirements of this section" means);</p> <p>(2) if MTW Agreement expires in 2005 or 2006,</p>	Up to 32 MTW slots were authorized by Congress. Scoring under PHMAP/PHAS was to be taken into account.

Key Provision	BBC	SLHFA	Current Law
		may renew for a 3-year term, then may reapply.	
<i>Planning</i>	<p>Instead of other HUD planning requirements, PHAs would submit to HUD annually a local plan addressing:</p> <ul style="list-style-type: none"> <li>(1) housing needs statement;</li> <li>(2) financial statements;</li> <li>(3) eligibility, selection, and admissions policies;</li> <li>(4) rent policy;</li> <li>(5) capital investment plan;</li> <li>(6) civil rights certification;</li> <li>(7) board certification of public hearing and local government consultation;</li> <li>(8) resident advisory board comments; and</li> <li>(9) comments from the general unit of local government.</li> </ul>	No comparable provision.	PHA Plan required under Section 5A of 1937 Act.
<i>Performance Assessment</i>	<p>Instead of other HUD reports, PHA shall submit a single annual report 120 days after end of PHA fiscal year that (1) documents the use of funds under BBC, and (2) describes and analyzes effect of HA activities in addressing BBC objectives.</p>	<p>PHAS and SEMAP apply, but not beyond 1/1/2008. Within 2 years of enactment, HUD must issue regulations establishing performance standards, including:</p> <ul style="list-style-type: none"> <li>(1) moving families to self-sufficiency;</li> <li>(2) reducing the “per-family cost” of housing assistance;</li> <li>(3) expanding housing choices;</li> <li>(4) improving Program management; and</li> <li>(5) other performance goals</li> </ul>	PHAS and SEMAP.

Key Provision	BBC	SLHFA	Current Law
		established by HUD.	
<i>Pledge of Funds</i>	<p>To facilitate financing for rehabilitation, development, and acquisition of housing, an HA may pledge its combined BBC funds and other property as security for loans. HUD may prohibit an HA from pledging only if the use of the loan proceeds would be inconsistent with the HA's plan or the terms of the loan constitute an unacceptable financial risk. Through the HA's annual BBC plan, HUD must approve a proposed loan if the HA:</p> <p>(A) pledges no more than one-third of its funds (or a higher amount HUD approves);</p> <p>(B) provides a justification for the financing and states how the proceeds will be used; (C) for development of additional housing units, provides a statement of the need for such units;</p> <p>(D) is in compliance with obligation and expenditure deadlines;</p> <p>and (E) submits an opinion from an independent, qualified party stating that the</p>	No comparable provision.	<p>Pledge of Capital Funds is authorized by Section 9(d)(1). HUD has imposed numerous conditions. Pledge of Operating Funds is authorized also, but implementation requires regulations, which HUD has not issued. Voucher funds may not be pledged. Public housing mortgages are authorized by Section 30 of the 1937 Act, but HUD has not issued implementing regulations.</p>

Key Provision	BBC	SLHFA	Current Law
	terms and conditions of the loan are reasonable in relation to similar transactions in the marketplace		
<i>Procurement</i>	No comparable provision. (Some existing MTW Agreements authorized HUD to grant streamlined procurement procedures.)	HUD may provide for immediate implementation of streamlined procurement procedures.	24 CFR Part 85 applies.
<i>Davis-Bacon</i>	Does not address.	May be waived.	Section 12 of 1937 Act requires prevailing wages.

**FOR YOUR INFORMATION ONLY**

August 24, 2005

TO: Housing Commissioners

FROM: Rebecca L. Craig, Director  
Assisted Housing Division

**SUBJECT: THE FAMILY SELF-SUFFICIENCY (FSS) PROGRAM**

**FSS Program Update**

For the month of July, bus passes were provided for 6 families to assist them with their commute to work or school. Resource information for childcare, education, job and counseling referrals continue to be mailed to participants as FSS receives updated flyers, web links, and notices of available services from partners throughout the county.

On Wednesday, July 20, 2005, FSS staff met with HUB Cities Work Source Center in the City of Huntington Park to discuss efforts in strengthening our partnership. FSS and HUB Cities agreed to meet bi-monthly to collaborate on a Job and a Resource Fair to be held before July 2006. In addition, HUB Cities expressed their interest in training FSS staff to use their referral tracking system. FSS will be able to access a referral form from HUB Cities website and use the partner menu to choose resources available to FSS participants. FSS will be able to send the form, listing various resources needed by a participant via electronic mail to HUB Cities. HUB Cities will then contact the participant within 3-5 days. The selection of resources can be printed and given to the FSS participant as a confirmation. The referral tracking training is scheduled tentatively for the end of September 2005.

**Graduates**

This month, 2 families graduated from the FSS program. The total number of graduates to date is 137.

If you have any questions, please call me at (562) 347-4880.

RLC:MF:CL:dt  
Commissionreport0705



**HOUSING AUTHORITY  
of the County of Los Angeles**

Administrative Office

2 Coral Circle • Monterey Park, CA 91755

323.890.7001 • www.lacdc.org • TTY: 323.838.7449



Gloria Molina  
Yvonne Brathwaite Burke  
Zev Yaroslavsky  
Don Knabe  
Michael D. Antonovich  
Commissioners

**Carlos Jackson**  
Executive Director

August 24, 2005

Honorable Housing Commissioners  
Housing Authority of the  
County of Los Angeles  
2 Coral Circle  
Monterey Park, California 91755

Dear Commissioners:

**APPROVE THE PURCHASE OF PERSONAL COMPUTERS  
FROM DELL COMPUTERS CORPORATION  
(ALL DISTRICTS)**

**IT IS RECOMMENDED THAT YOUR COMMISSION:**

Recommend that the Board of Commissioners authorize the Executive Director of the Housing Authority to approve a purchase order requisition for the procurement of 150 personal computers from Dell Computers Corporation (Dell), and to use for this purpose \$129,094.62 included in the Housing Authority's approved Fiscal Year 2005-2006 budget.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:**

The purpose of this action is to procure 150 personal computers for the Housing Authority's Section 8 program.

**FISCAL IMPACT/FINANCING:**

There is no impact on the County general fund. The purchase order requisition will be funded with a total of \$129,094.62, using funds included in the Housing Authority's approved Fiscal Year 2005-2006 budget.

**FISCAL IMPACT/FINANCING:**

There is no impact on the County general fund. The fiscal impact associated with the amended Administrative and Personnel Policies is for the new Retiree Dental and Vision Provisions. The estimated first-year cost for these provisions is \$21,000. These funds are included in the Commission's approved Fiscal Year 2005-2006 budget.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS:**

On December 28, 1982, the Board adopted a Resolution establishing the Commission's Administrative and Personnel Policies and provided the framework for the current personnel system. Since that time, the Board has approved seven amendments, the latest of which was dated October 5, 2004.

Many of the changes to the current Administrative and Personnel Policies consist of minor language edits for purposes of clarifying business processes. In addition, specific policies are amended or added as follows:

Section 120 – employees with an unsatisfactory rating will not be eligible for a salary increase;

Section 137 and 200 – the Commission reserves the right to recover and collect salary overpayments from employee paychecks in a reasonable manner;

Section 202.1 –the flex dollar contribution is increased from \$520 to \$540 per month for employees in the Optional Benefits Plan. The Executive Director retains the discretion to increase the monthly flex dollar contribution, in accordance with October 5, 2004 Board approval;

Section 202.2 –the flex dollar contribution is increased from \$770 to \$790 per month for employees in the Flexible Benefits Plan. The Executive Director retains the discretion to increase the monthly flex dollar contribution, in accordance with October 5, 2004 Board approval;

Section 205 – if qualified beneficiary is no longer disabled by Social Security Administration (SSA) guidelines, the beneficiary must notify the Commission of that fact within thirty (30) days of SSA's determination;

Section 206 – effective January 1, 2005, California law will limit Senior COBRA to those individuals who were eligible for California's Senior COBRA coverage prior to January 1, 2005.

**CONTRACTING PROCESS:**

The Housing Authority is taking advantage of the discounted costs leveraged through the National Association of State Procurement Officials (NASPO), which is less than the Housing Authority's procurement process. The procurement process is consistent with the Housing Authority's policies and procedures.

**IMPACT ON CURRENT SERVICES:**

The purchase of the personal computers will help improve the performance of existing software applications. The new Dell computers will allow Section 8 employees to work more efficiently and effectively with less interruption by system errors.

Respectfully submitted,

  
 CARLOS JACKSON  
Executive Director

CJ:ajm:DellPCs2



**Carlos Jackson**  
*Executive Director*

**HOUSING AUTHORITY  
of the County of Los Angeles**

Administrative Office  
2 Coral Circle • Monterey Park, CA 91755  
323.890.7001 • [www.lacdc.org](http://www.lacdc.org)

**Gloria Molina**  
**Yvonne Brathwaite Burke**  
**Zev Yaroslavsky**  
**Don Knabe**  
**Michael D. Antonovich**  
*Commissioners*

August 24, 2005

Honorable Housing Commissioners  
Housing Authority of the  
County of Los Angeles  
2 Coral Circle  
Monterey Park, California 91755

Dear Commissioners:

**APPROVE ADMINISTRATIVE AND PERSONNEL POLICIES (ALL DISTRICTS)**

**IT IS RECOMMENDED THAT YOUR COMMISSION:**

Recommend that the Board of Commissioners approve the Community Development Commission's amended Administrative and Personnel Policies, which provides a framework for the Commission's personnel system and ensures compliance with Federal and State regulations, to be effective upon the date of Board approval.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:**

The recommended revisions to the Commission's Administrative and Personnel Policies will update policies to provide conformity with Federal and State regulations, bring retiree benefits in line with those provided by the County, and clarify existing policies. The Board of Commissioners of the Housing Authority must approve the amendments to the Administrative and Personnel Policies, because Housing Authority funds are used to pay for the salaries and benefits of Community Development Commission personnel performing Housing Authority functions.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS:**

The Housing Authority's Section 8 program staff currently uses personal computers that are on average three to four years old and have a slow processor speed and, therefore, take more time to open and operate software applications. The current outdated personal computers operate at a slow speed or "freeze" during data entry when accessing Microsoft Access that connects to the Emphasys software application, which maintains the waiting list for Section 8 and Conventional Public Housing, housing inspection and annual landlord re-certification scheduling, and HUD-required tracking of families in the Family Self-Sufficiency Program, among other functions. If this happens, the data is entered incompletely, and subsequently, a system error occurs that requires staff to stop working, shut down the computer and re-boot. All entered data is lost, requiring staff to re-enter all information.

Section 8 staff is also often required to run multiple applications concurrently, such as Microsoft Outlook, Word, Excel, Laserfiche (electronic document management system) and the Emphasys system. The current personal computers do not have enough memory to sustain running multiple applications at the same time, which hinders staff from working more efficiently.

With the purchase of 150 Dell computers, the Housing Authority will upgrade the processor speed and memory of the current personal computers for all Section 8 employees. Each new Dell computer will have a 2.8 GHz processor, 40 GB hard drive and 1 GB of memory, which are the minimum requirements for achieving optimal use of the current software applications.

The outdated personal computers will be properly disposed of through the County's auction program.

The Housing Authority's recommendation to approve this action is being reviewed by the County Chief Information Officer (CIO).

**ENVIRONMENTAL DOCUMENTATION:**

Approval of the purchase order requisition is exempt from the provisions of the National Environmental Policy Act pursuant to 24 Code of Federal Regulations, Part 58, Section 58.34 (a)(3) because it involves administrative activities that will not have a physical impact or result in any physical changes to the environment. The activities are not subject to the provisions of California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines 15060(c)(3) and 15378 because they are not defined as a project under CEQA and do not have the potential for causing a significant effect on the environment.

In addition to the above changes, the Commission has included provisions for Retiree Dental (Section 216.1) and Retiree Vision (Section 216.2) coverage not to exceed the coverage provided to current employees. These provisions extend only to the retiree, and will bring the Commission's post-retirement benefits in line with what County retirees receive. The additional benefits' cost is considered minimal and would improve the overall quality of healthcare for retirees. The Commission reserves the right to modify the retiree benefits in the future, if necessary.

County Counsel and special labor counsel have reviewed the revised policies. The Chief Administrative Office has reviewed this letter.

### **ENVIRONMENTAL DOCUMENTATION**

Approval of revisions to the Commission's Administrative and Personnel Policies is exempt from the provisions of the National Environmental Policy Act pursuant to 24 Code of Federal Regulations, Part 58, Section 58.34 (a)(3) because it involves administrative activities that will not have a physical impact or result in any physical changes to the environment. The activities are not subject to the provisions of CEQA pursuant to State CEQA Guidelines 15060(c)(3) and 15378 because they are not defined as a project under CEQA and do not have the potential for causing a significant effect on the environment.

### **IMPACT ON CURRENT PROGRAM:**

The recommended revisions of the Administrative and Personnel Policies will incorporate required regulations and update policies and procedures.

Respectfully submitted,

  
for CARLOS JACKSON  
Executive Director

CJ: Admin Personnel Policy 2005

Attachment: 1

COMMUNITY DEVELOPMENT COMMISSION  
OF THE COUNTY OF LOS ANGELES  
ADMINISTRATIVE AND PERSONNEL POLICIES

Revised September, 2005  
These policies are applicable to regular employees.

Detailed provisions of a number of these policies are supplied in the Commission's Administrative Policies and Procedures, which are applicable to all Commission employees. All employees should be thoroughly familiar with these documents.

Community Development Commission  
Administrative & Personnel Policies

100	DEFINITIONS AND GENERAL PROVISIONS.....	1
101	Commission.....	1
102	Board.....	1
103	Executive Director.....	1
104	Appointments.....	1
	104.1 Officers.....	1
	104.2 Temporary Appointments.....	1
	104.3 Contract Appointments.....	1
	104.4 Regular Appointments.....	1
	104.5 Acting Appointments.....	2
	104.6 Conditions of Appointment.....	2
	104.7 Independent Contractor Consultant.....	2
105	Administrative Authority.....	2
106	Equal Employment.....	2
107	Political Activity.....	3
108	Conflict of Interest.....	3
	108.1 Duty to Report Violations to the Commission.....	4
109	Outside Employment.....	4
110	Employment of Relatives.....	6
	110.1 Employment of Spouse.....	6
	110.2 Accommodation for Co-Employees Who Marry.....	6
111	Employment of Persons Who Live in the Same Residence.....	6
112	Working Hours.....	7
113	Workweek.....	7
114	Work Schedule.....	7
115	Overtime Standard.....	8
	115.1 Emergency/Holiday Overtime Pay.....	8
116	Employment Layoff.....	8
117	Medical Examination.....	9
118	Background Investigation.....	9
119	Maintenance Standby and "On Call" Status.....	9
120	Performance Evaluation System.....	10
121	Personnel Classification.....	10
122	Salary Placement.....	10
123	Advanced Level Placement.....	10
124	Salary Movement.....	11
125	Advanced Salary Movement.....	11
126	Incentive System.....	11
127	Bilingual Compensation.....	11
128	Holidays.....	11
	128.1 Floating Holiday.....	12
129	Mileage, Travel Expense and Automobile Allowance.....	12
	129.1 Mileage and Travel Expenses.....	12
	129.2 Auto Allowance.....	13
130	Use of Personal Vehicles.....	13

Community Development Commission  
Administrative & Personnel Policies

	131	Professional Memberships/Dues.....	13
	132	Removal of Personnel.....	14
		132.1 Officers and Regular Employees.....	14
		132.2 Temporary Employees.....	14
		132.3 Contract Employees.....	14
		132.4 Acting Appointees.....	14
	133	Grievance Procedure.....	14
	134	Separation Pay.....	14
	135	Additional Provisions.....	15
	136	Previous Service Credit.....	15
	137	Unauthorized Use of Commission Property and Responsibility for Items Furnished to Employee.....	15
	138	Substance Abuse.....	16
		138.1 Purpose.....	16
		138.2 Policy.....	16
		138.3 Confidentiality.....	17
		138.4 Rehabilitation.....	18
	139	Harassment.....	18
	140	Prohibition of Smoking in the Workplace.....	19
	141	Working Environment.....	19
200		EMPLOYEE BENEFITS.....	19
	201	Continuous Service.....	20
	202	Benefit Plans.....	20
		202.1 Optional Benefit Plan.....	20
		202.2 Flexible Benefits Plan.....	20
	203	Retirement.....	22
	204	Health Insurance Coverage.....	22
	205	Continued Health Insurance Under Federal Law-COBRA.....	22
	206	Continued Health Insurance Under California Law (Extended COBRA).....	24
	207	Dental Insurance Coverage.....	25
	208	Vision Insurance Coverage .....	25
	209	Life Insurance.....	25
	210	Accidental Death and Dismemberment Insurance.....	26
	211	Unemployment Insurance.....	26
	212	Workers' Compensation.....	26
	213	Disability Insurance.....	26
	214	Social Security Medicare.....	27
	215	Officer Automobile Allowance.....	27
	216	Retiree Medical.....	27
		216.1 Retiree Dental.....	28
		216.2 Retiree Vision.....	29
	217	Additional Benefits.....	30
300		LEAVES WITH PAY.....	31
	301	Annual Leave (Non-Elective).....	31
		301.1 Flexible Benefits Plan.....	31
		301.2 Optional Benefits Plan.....	31

Community Development Commission  
Administrative & Personnel Policies

ii

302	Bonus Annual Leave.....	32
303	Sick Leave.....	32
304	Bereavement Leave.....	32
305	Military Training or Duty Leave.....	33
306	Jury Duty and Witness Leave.....	33
307	Workers' Compensation.....	33
308	Administrative Leave.....	33
400	LEAVES WITHOUT PAY.....	33
401	Personal Leave.....	34
402	Regulatory Leave.....	34
403	Military Service.....	34
404	Parental Leave for School Visits.....	34
405	Family Care and Medical Leave.....	35
406	Pregnancy Disability Leave.....	35
407	Medical Leave.....	36
408	Industrial Leave.....	37
409	Domestic Violence Leave.....	38
410	Paid Family Leave.....	39
500	UNAUTHORIZED LEAVES.....	39

## **100 DEFINITIONS AND GENERAL PROVISIONS**

### **101 Commission**

"Commission" means the Community Development Commission of the County of Los Angeles.

### **102 Board**

"Board" means the Board of Commissioners of the Community Development Commission of the County of Los Angeles.

### **103 Executive Director**

"Executive Director" is the Commission's Chief Executive Officer.

### **104 Appointments**

#### **104.1 Officers**

An "Officer" is a person appointed to the position of Executive Director, Assistant Executive Director, Director or Manager.

#### **104.2 Temporary Appointments**

"Temporary Appointment" means employment of a person to be paid on an hourly basis. Appointments are limited to six months duration unless extended by the Executive Director.

#### **104.3 Contract Appointments**

"Contract Appointment" means employment of a person to be paid on an hourly or salary basis. Employment is based on the terms and conditions set forth in the Agreement for Contract Employment. Duration of the employment contract/agreement may not exceed 12 months, but may be renewed at the discretion of the Executive Director.

#### **104.4 Regular Appointments**

"Regular Appointment" is employment other than as an Officer, or as a contract appointment, or a temporary appointment.

#### 104.5 Acting Appointments

“Acting Appointment” is the temporary assignment of a contract employee to a different contract position, the temporary assignment of a regular employee to a different regular position, the temporary assignment of an Officer to a different Officer position, or the temporary assignment of a regular employee to an Officer position. An acting appointment may be made for a period not to exceed six months. During the acting appointment, adjustments may be made to the acting appointee's pay or benefits.

#### 104.6 Conditions of Appointment

Except as may be prescribed by statute or as may be provided by the Commission, the Executive Director serves at the pleasure of the Commission. All other Officers, all temporary, regular and contract employees, and all acting appointees serve at the pleasure of the Executive Director.

#### 104.7 Independent Contractor Consultant

An “Independent Contractor Consultant” is a person who is employed by a sole proprietorship, employed by a separate public agency, or employed by a private employer, but who performs services for the Commission pursuant to a contract. An Independent Contractor Consultant may serve the Commission in any capacity, including as an Officer, but shall only be entitled to the benefits and privileges expressly specified in the respective contract.

#### 105 Administrative Authority

The Executive Director is authorized to make any personnel appointment and take any action necessary to manage the Commission consistent with budgetary authorization and approved policies.

#### 106 Equal Employment

The Commission is committed to equal employment opportunity without regard to race, national origin, color, ancestry, religion, sex, gender identity, marital status, political affiliation, disability, age, or sexual orientation.

Community Development Commission  
Administrative & Personnel Policies

107 Political Activity

No Officer or employee shall engage in political activities during work hours nor represent his/her position as an Officer or employee while engaging in partisan political activities during non-work hours.

108 Conflict of Interest

A "conflict of interest" is when an employee is involved in activity, which, for any reason is in conflict with the Commission's best interests.

Officers and employees of the Commission shall maintain the highest standards of conduct and integrity and shall have no outside interests, which may be incompatible or involve a conflict of interest with their duties, functions, and responsibilities as Commission Officers or employees.

Officers and employees shall not accept, directly or indirectly, payments, loans, commissions, services, promises of future benefits, gifts, gratuities, merchandise or other items of value, from any organization or individual doing business with the Commission, except for meals and social invitations of nominal value, which are in keeping with good business ethics and do not obligate the recipient. All Officers and employees should not become involved in a conflict of interest situation which is real or apparent which may involve favoritism, collusion or other fraudulent practice.

No Officer or employee at any level of the Commission may serve as a director, officer, partner, employee, consultant, agent or representative, or have a financial interest in any organization which does business with or is affiliated with the Commission, unless on the basis of full disclosure and such association has the specific written approval of the Executive Director. In addition, Officers and employees are required to abide by applicable federal, state and local statutes, regulations, and ordinances concerning conflicts of interests.

Employees must be free of any investment in (other than ownership of less than 3% of the shares in any publicly traded company, less than 3% of the shares in any publicly traded real estate investment trusts, and/or less than 3% of the interest in any publicly traded limited partnerships, and/or investments in mutual funds), or association with vendors, contractors, or suppliers which might interfere or appear to interfere with the independent exercise of judgment by employees in the best interests of the Commission.

While employed by the Commission, employees may not solicit, contract with or perform services for any vendors, contractors, or suppliers of the Commission. This includes "freelance" activities, which are the same or substantially similar to the services provided by the employee to the Commission. Employees of the Commission may not solicit or accept any gift or gratuity in excess of nominal value for performing their services from the Commission, including but not limited to as expressly prohibited by Penal Code section 70.

Employees also may not be involved in activities constituting a conflict of interest on the Commission's time, and also during off-duty time. Employees may not use the Commission's equipment, materials, resources, or "confidential" information, including but not limited to as defined in Government Code Section 1098, except to further the best interests of the Commission. Conflicts of interest include but are not limited to activities prohibited in Government Code sections 1090, 1098, and 1126.

Violation of this conflict of interest policy is a basis for discipline, up to and including termination. Furthermore, violation of this conflict of interest policy may be a basis for a civil suit, which may include the Commission seeking injunctions to prevent irreparable harm to its interests as a result of the disclosure or use of confidential information or trade secrets.

#### 108.1 Duty to Report Violations to the Commission

Employees are also required to immediately report to Human Resources any violation of this Conflict of Interest Policy by any other employee of the Commission. Employees are also required to immediately report to Human Resources any attempted bribe, bribe, attempted kickback and/or kickback, discussed or made by any vendors, suppliers, and/or employees of the Commission.

Failure to immediately report known violations of the Conflict of Interest Policy by others, including but not limited to the Commission's vendors, suppliers, and/or employees, will result in disciplinary action, up to and including termination.

#### 109 Outside Employment

Executive Director approval in writing is required for all outside employment.

Community Development Commission  
Administrative & Personnel Policies

In general, the Commission has no objections to non-exempt employees only obtaining an additional job. However, if a non-exempt employee obtains additional employment with a business enterprise or public agency with which the Commission competes, or with which the Commission presently has or subsequently has a business relationship, or if there is a potential conflict of interest, the Commission may, as a condition of continued employment, require the non-exempt employee to refuse or resign from the additional job. Furthermore, the Commission will hold all non-exempt employees to the same standards or performance and work schedules, and cannot make exceptions for non-exempt employees holding additional jobs.

All Officers and employees of the Commission must obtain the written approval of the Executive Director before accepting any outside employment or engaging in any business as an independent contractor, partner, or a sole proprietor. Accepting or continuing outside employment in violation of this policy may result in immediate termination.

No Officer or employee at any level of the Commission may serve as a director, officer, partner, employee, consultant, agent, or representative, or have a financial interest in any organization unless on the basis of full disclosure and such association has the specific written approval of the Executive Director. In addition, Officers and employees are required to abide by applicable federal, state and local statutes, regulations, and ordinances concerning outside employment.

Pursuant to Government Code 1126 an employee's outside employment, activity or enterprise for compensation may be prohibited if it: (1) involves the use for private gain or advantage of his/her Commission time, facilities, equipment and supplies, badge, uniform, prestige, or influence of his/her Commission office or employment; (2) involves receipt or acceptance by the Officer or employee of any money or other consideration from anyone other than the Commission for the performance of an act which the Officer or employee, if not performing such act, would be required or expected to render in the regular course or hours of his/her Commission employment or as a part of his/her duties as a Commission Officer or employee; (3) involves the performance of an act in other than his/her capacity as a Commission Officer or employee which may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other Officer or employee of the Commission, or (4) involves the time demands as would render performance of his/her duties as a Commission Officer or employee less efficient.

110 Employment of Relatives

No person shall be employed or be contracted with for services who is related within the first degree of consanguinity—father, mother, sister, brother, spouse, or child—to an Officer or employee or a member of the Board, unless approved in advance by the Executive Director.

110.1 Employment of Spouse

An employment decision shall not be based on whether an individual has a spouse presently employed by the Commission except in accordance with the following criteria:

- 1) For business reasons of supervision, safety, security or morale the Commission may refuse to place one spouse under the direct supervision of the other spouse.
- 2) For business reasons of supervision, security or morale, the Commission may refuse to place both spouses in the same department, division or facility if the work involves potential conflicts of interest or other hazards greater for married couples than for other persons.

110.2 Accommodation for Co-Employees Who Marry

If co-employees marry, the Commission shall make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security, or morale.

111 Employment of Persons Who Live in the Same Residence

No person shall be employed or be contracted with for services who lives in the same residence as an Officer or employee or a member of the Board, without the advance written approval of the Executive Director. Employment decisions regarding persons who live in the same residence shall be made in accordance with the following criteria:

- 1) For business reasons of supervision, safety, security or morale, the Commission may refuse to place an employee who lives in the same residence with another employee under the direct supervision of the employee with whom he/she lives.
- 2) For business reasons of supervision, security or morale, the Commission may refuse to place an employee who lives in

Community Development Commission  
Administrative & Personnel Policies

the same residence with another employee in the same department, division, or facility, if the work involves potential conflicts of interest or other hazards greater for these employees than for other employees.

- 3) Employees who plan to live in the same residence shall provide advance notice of such to their division(s) management to enable management to assign job duties so as to minimize problems of supervision, safety, security or morale.

112 Working Hours

**The Commission's standard business office hours are from 8:00 a.m. to 5:00 p.m.** The standard workday is eight hours.

With approval from the Executive Director, Officers and employees may work an alternative 9/80 schedule. The 9/80 schedule involves working 80 hours over a 9-day period. On this alternative work schedule, Officers and employees may work nine hours in a workday.

113 Workweek

The standard workweek begins at 12:01 p.m. on Friday and ends at 12 noon the following Friday.

114 Work Schedule

The Executive Director shall assign work schedules as necessary to accomplish Commission business. Unless assigned to an alternative **9/80** schedule, employees shall work from 8 a.m. to 5 p.m., with a one hour unpaid lunch **meal** break.

**All standard and alternative work schedules shall start no earlier than 7:00 a.m. and end no later than 6:00 p.m. No exceptions to the work schedules contained herein may be authorized by anyone other than the Executive Director or his/her designee.**

**114.1 Meal Breaks**

**A one hour unpaid meal break is provided for all employees who work at least five hours on a given day. No ½ hour unpaid meal breaks shall be granted on a regular basis by anyone other than the Executive Director. Unpaid meal breaks may not be taken at the beginning or the end of the workday.**

115 Overtime Standard

Overtime means time spent in excess of a standard workweek. Employees may be required to work hours in excess of the standard workweek at the discretion of the Executive Director. Overtime for non-exempt employees will be compensated with compensatory time off on a time and one-half basis for all hours worked over forty in a workweek or, with Executive Director approval, pay at time and one-half of the employee's regular rate of pay.

Exempt employees are Officers and other professional employees of the Commission that comply with the Federal Fair Labor Standards Act regulations for exemptions. Exempt employees are paid on a salary basis, which amount is not subject to reduction because of the quality or quantity of the work performed. Exempt employees will not have deductions made from their pay for absences of less than one day. The Executive Director may approve up to five days of paid Administrative Leave per year for Officers in lieu of compensatory time.

115.1 Emergency/Holiday Overtime Pay

When a Commission employee is required to return to work on an observed holiday or weekend immediately following or preceding the holiday due to an emergency situation, the employee shall be compensated at two times the regular rate of pay for time worked in excess of two hours. An emergency situation is one in which the employee has to immediately respond to the request of the Director or designee, and does not have the option to choose which day he/she can complete the work.

116 Employment Layoff

An Officer or employee may be laid off at the discretion of the Executive Director for any of the following reasons: (1) loss of funding; (2) lack of work; or (3) other budgetary considerations. In the event of a layoff, the Officer or employee will be given either two weeks notice or immediate separation with two weeks severance pay.

An employee who is laid off will have recall rights for three (3) months. Thereafter, he/she will lose all employee status with the Commission.

Community Development Commission  
Administrative & Personnel Policies

117 Medical Examination

Once an offer of employment with the Commission is made, a candidate for an Officer, regular, contract or some specified temporary positions is required to submit to a medical examination performed by an industrial medical facility specified by the Commission to determine his/her ability to perform the essential functions of the job offered. An Officer or employee may be required to submit to a medical examination after appointment. The examination is for the purpose of determining the Officer's or employee's physical and/or mental capabilities to perform the job duties of the position applied for in accordance with federal and state laws regarding persons with disabilities.

118 Background Investigation

An Officer or employee may be required to submit to a background investigation prior to or after appointment to determine his/her suitability to perform assigned duties. Fingerprinting may be required for the background investigation.

119 Maintenance Standby and "On Call" Status

To ensure that housing developments will receive emergency repairs during hours not covered by the normal work schedule, it is the policy of the Commission that employees in the Maintenance Worker I, II, and III, classifications shall be assigned to standby "on call" status at the discretion of the Executive Director.

It is the practice of the Commission that those Maintenance Workers I, II, and III, who are assigned to be available on a standby basis to respond to emergency calls from the end of the work day Friday to the subsequent Friday, shall receive standby compensation for that period equivalent to eight hours pay at the minimum wage rate, to be authorized by the Executive Director. Recognized holidays falling on days consecutive with the weekend are considered as part of the normal standby compensation.

All Maintenance Workers may be called to respond to an emergency during hours not covered by their normal work schedule. However, Maintenance Workers are not required to remain on the employer's premises, but must notify Commission officials of where they may be reached. Therefore, they are not working while on call.

Community Development Commission  
Administrative & Personnel Policies

Maintenance Workers, including skilled trades, who are required to return to work to respond to an emergency call after the termination of his/her normal work shift and departure from the work location, but not less than 2 hours before the starting time of the next regular shift, shall be compensated for the actual time required to respond to the emergency call(s), calculated at 1 1/2 times their regular rate of pay. Employees shall receive overtime compensation for emergency after-hours maintenance service after the completion of forty regular hours during the workweek in accordance with the overtime provisions established in Section 115.

When a Maintenance Worker is required to return to work on an observed holiday or weekend immediately following or preceding the holiday, the Maintenance Worker shall be compensated at two times his/her regular rate of pay for time worked in excess of 2 hours.

120 Performance Evaluation System

The Executive Director shall establish and maintain a performance evaluation system that objectively assesses employee job performance in relation to assigned responsibilities. Written performance evaluations will be made at least annually. To be eligible for a salary increase, the employee must have satisfactorily performed the job requirements for his/her position during the period preceding the evaluation. An employee evaluated as not having satisfactorily performed job requirements ~~will not be eligible for a salary increase~~ will be placed on a Needs Improvement Plan and/or subject to disciplinary action up to and including termination.

121 Personnel Classification

The Executive Director shall administer and maintain a personnel classification system.

122 Salary Placement

The Executive Director is authorized to make job appointments at a rate of pay within the approved job classification salary range for the purpose of attracting and retaining experienced and qualified personnel.

123 Advanced Level Placement

In order to be equitable and competitive, the Executive Director may make employee placement above the beginning of the

Community Development Commission  
Administrative & Personnel Policies

classification salary range when justified by the candidate's experience and background.

124 Salary Movement

Based on job performance, Officer or employee compensation may be adjusted within the approved classification salary range. Salary adjustments are effective the day the adjustment is authorized by the Executive Director. Salary adjustments authorized in connection with an employee's annual performance evaluation are effective on an employee's anniversary date for the position they are currently holding. The compensation rate of the Executive Director will be adjusted in accordance with Board directives and approval.

125 Advanced Salary Movement

The Executive Director will report quarterly to the Board any Officer or employee salary increase exceeding 10% of previous salary.

126 Incentive System

To encourage outstanding performance in the achievement of Commission goals, the Executive Director shall be responsible for administering the Employee Incentive Program to reward valuable contributions or suggestions made by employees. Officers and employees shall be eligible to participate in the Incentive Program.

127 Bilingual Compensation

Employees may receive a monthly compensation upon successful completion of a bilingual proficiency exam with written Division Director authorization, when the position assignment requires fluency in English and another language. Employees are not eligible for bilingual compensation during any unpaid leave of absence.

128 Holidays

On the observance days shown below, Officers and regular employees shall be entitled to the following paid holidays as long as they have been compensated for the day before and the day after the holiday is observed. **Employees shall be compensated for the hours they would regularly work, not to exceed 8 hours.**

Community Development Commission  
Administrative & Personnel Policies

<u>Holidays</u>	<u>Observations</u>
New Year's Day.....	January 1
Martin Luther King Jr.'s Birthday.....	Third Monday in January
Presidents' Day. ....	Third Monday in February
Memorial Day.....	Last Monday in May
Independence Day.....	July 4
Labor Day.....	First Monday in September
Columbus Day.....	Second Monday in October
Veterans' Day.....	November 11
Thanksgiving Day.....	Fourth Thursday in November
Day after Thanksgiving.....	Friday after Thanksgiving
Christmas Day.....	December 25

When a holiday occurs on a Saturday, the preceding Friday will be observed. When a holiday occurs on a Sunday, the following Monday will be observed. Regular employees scheduled to work on holidays will be credited with compensatory time for hours worked on that day.

Employees on leave without pay are not entitled to holiday pay.

#### 128.1 Floating Holiday

In addition to the above holidays, **Officers and regular employees are granted one eight (8) hour floating holiday per calendar year. The floating holiday may be taken when approved in advance and must be used before any elective annual leave (EAL) may be used.** Any floating holiday not used at the time of separation or at the end of the calendar year will be forfeited.

### 129 Mileage, Travel Expense and Automobile Allowance

#### 129.1 Mileage and Travel Expenses

The Executive Director shall, from time to time, determine and submit for Board approval a reasonable reimbursement formula(s) and maximum reimbursement limit(s) to compensate Officers and employees for mileage and travel related expenses incurred on Commission business. All mileage, travel, and related expenses must be approved in advance by the Executive Director or his/her designee.

129.2 Auto Allowance

Subject to the authorization of the Executive Director, Officers are eligible for a fixed monthly automobile allowance. Officers receiving such allowance are not eligible to receive mileage reimbursement. This allowance is separate from reimbursement for car rental expenses incurred in connection with authorized business travel.

130 Use of Personal Vehicles

The Executive Director may require any Officer or employee to provide his or her own transportation to conduct Commission business. Staff using personal vehicles must maintain **a valid California Driver's License (CDL) and** State of California minimum insurance coverage. Operating a Commission vehicle with an expired or suspended driver's license will result in disciplinary action up to and including termination. If an employee is involved in a vehicle accident using their personal vehicle, their insurance is primary. The Commission's insurance is excess over and above all other existing insurance policies.

The Commission maintains driving records for all employees who are required to drive on Commission business. Excessive accidents and/or violations or uninsurability, except at premiums higher than the majority of other Commission drivers, may result in disciplinary action up to and including termination. Furthermore, employees who drive without a valid drivers license in the course and scope of their employment with the Commission, are subject to disciplinary action up to and including unpaid suspension and/or termination.

Commission employees who drive in the course and scope of their employment for the Commission must immediately notify Risk Management if their drivers' licenses have expired, without possible renewal, and or have been suspended, and shall not be permitted to drive on Commission business either in a Commission or their personal vehicle. Failure to do so may result in termination.

131 Professional Memberships/Dues

Subject to available funding, the Executive Director shall provide for necessary professional memberships, dues and publications.

Community Development Commission  
Administrative & Personnel Policies

132 Removal of Personnel

132.1 Officers and Regular Employees

All Officers and regular employees serve at the pleasure of the Executive Director and therefore may be removed at any time without stated cause. Officers and regular employees charged with misconduct shall be provided, in writing, pre-removal notification of the charge, the reasons therefore and the opportunity to respond. The pre-removal notification procedure shall be for the purpose of protecting the "liberty interests" of Officers and employees and does not in any way modify the right of the Commission to terminate Officers and employees at the pleasure of the Executive Director.

132.2 Temporary Employees

Temporary employees may be removed at the pleasure of the Executive Director without stated cause.

132.3 Contract Employees

Contract employees may be removed at the pleasure of the Executive Director without stated cause.

132.4 Acting Appointees

Acting appointees may be removed from such acting positions at the pleasure of the Executive Director.

133 Grievance Procedure

The Executive Director shall administer a grievance procedure for regular employees only, except that such procedure shall be exclusive of disciplinary matters. "Disciplinary matters" include, but are not limited to demotion, suspension, or removal.

134 Separation Pay

Upon separation, an Officer or employee will be compensated at his/her regular rate of pay for accrued annual leave or vacation pay, ~~An employee will be compensated for his/her accrued overtime hours~~ **and for his/her banked leave hours**. An Officer or employee who purchases Elective Annual Leave will be compensated for leave purchased but not taken. An employee whose Elective Annual Leave for the calendar year has been exhausted and still shows a balance owing on purchased days will have the balance deducted from the

Community Development Commission  
Administrative & Personnel Policies

employee's final pay check.

135 Additional Provisions

The Executive Director is authorized to establish additional procedures, not specified herein, to implement Commission policies.

136 Previous Service Credit

Effective August 1, 1984, the Executive Director is authorized to allow the following special provisions for Officers and regular employees hired into the Commission, who, prior to Commission employment were continuous employees of the Housing Authority of the County Los Angeles, subject to the limitations indicated:

- All Officers and regular employees may carry-over up to a maximum of 100 hours of accrued sick leave.
- All Officers and regular employees will be credited for continuous service time earned in their prior organization for purposes of accruing annual leave.
- All Officers and regular employees are eligible for noncompetitive appointment.

137 Unauthorized Use of Commission Property and Responsibility for Items Furnished to Employee

The unauthorized ~~access to and~~ use of, Commission property and equipment including, but not limited to, Commission identification badges, supplies, telephones, voicemail, computers, laptops, software, E-mail, Internet, facsimile machines, photo copiers, office space, vehicles, and other Commission-funded assets is prohibited.

In the course of employment, certain employees of the Commission may be furnished work-related items such as uniforms, Commission identification badges, office keys, master keys, entry authorization cards, pagers, cellular phones, laptop computers, tools and ~~other~~ office equipment. Any employee receiving such items shall return each and all of the same to the Commission in good condition, except reasonable wear and tear, at the termination of his/her employment for any reason. If any items are not returned by the last day worked, the reasonable value of such item(s) may be claimed against the employee and the employee agrees that such reasonable value may be deducted from such employee's pay.

Community Development Commission  
Administrative & Personnel Policies

Upon hire, all employees must read and sign an Authorization of Deduction form, which authorizes the Commission to recover the costs related to any items not returned at the termination of employment, including but not limited to the cost of personal telephone calls. No office equipment may be removed from the office without written permission from the supervisor.

**The Commission reserves the right to recover and collect any salary overpayment from the employee by any reasonable method allowed by law or in equity, including but not limited to deducting said overpayment from employee's subsequent paycheck(s) in one lump sum, in installments, or through some other reasonable repayment plan. The Commission further reserves the right to pursue any and all other rights and remedies afforded to it by law or in equity.**

138 Substance Abuse

138.1 Purpose

It is the policy of the Commission to maintain a safe, healthy and productive work environment for all employees. To that end, management will act to eliminate any substance abuse (alcohol, illegal drugs, prescription drugs or any other substance which could impair the employee's ability to safely and effectively perform the functions of the particular job), which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or damage to the agency's reputation, and places the safety of others at risk.

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on Commission property. Violations of the policy may result in discipline, up to and including termination.

138.2 Policy

1. It shall be grounds for termination to sell or trade any drugs or alcohol, while on duty or on Commission property.
2. It may be grounds for disciplinary action, up to and including termination, if any employee reports to work intoxicated, under the influence of, or has traces in his/her urine of alcohol, controlled substances,

Community Development Commission  
Administrative & Personnel Policies

narcotics, amphetamines, barbiturates, prescribed or over-the-counter medications in excess of prescribed dosages, or other non-prescribed hallucinogenic substances, or becomes intoxicated or comes under the influence while on duty.

3. When a supervisor has reasonable cause to believe that an employee is under the influence of intoxicating liquor, controlled substances, narcotics, amphetamines, barbiturates, prescribed or over-the-counter medications in excess of prescribed dosages, or other non-prescribed hallucinogenic substances, the supervisor shall have the authority to order that employee, accompanied by a supervisor, to report immediately to a medical facility and to be examined by a physician and to take an appropriate test for drug or alcohol use. The examination shall be conducted while the employee is "on the clock". The Commission shall bear the expense of the examination, and shall provide transportation to and from the medical facility and the employee's work station or residence, if necessary.
4. Should the examination show that the employee is intoxicated or under the influence of alcohol, controlled substances, narcotics, amphetamines, barbiturates, medications in excess of prescribed dosages, or other non-prescribed hallucinogenic substances, and has therefore, violated the above rules, the employee may be subject to disciplinary action, up to and including termination. Within 90 days of the examination and if requested by the employee, management shall have the examination sample retested by a state licensed independent laboratory/testing facility. The employee shall bear the expense of any independent examination requested.
5. An employee's failure to submit to an examination and test in accordance with this policy, when so ordered by management, will be considered insubordination, and grounds for immediate termination.

138.3 Confidentiality

All test results shall be kept confidential and will only be

Community Development Commission  
Administrative & Personnel Policies

revealed to the employee tested and to Officers and employees of the Commission who need to utilize the information in order to carry out their job responsibilities.

138.4 Rehabilitation

Employees who have substance abuse problems will be encouraged to make every effort to overcome such problems and to utilize the services of the Employee Assistance Program (EAP), or another appropriate program. The EAP will not be used in lieu of discipline against an employee found to be in violation of this policy, but may be taken into consideration by management in determining the appropriateness of the disciplinary action to be taken. Any expenses incurred will be the responsibility of the employee.

139 Harassment

All employees are to be treated with respect, and dignity, and work in an environment free from harassment. Sexual harassment or harassment by another employee or supervisor for any reason, such as that based upon race, color, religion, national origin, age, marital status, sex, gender identity, ancestry, political affiliation, disability, or sexual orientation by another employee or supervisor will not be tolerated under any circumstances, and can lead to disciplinary action, up to and including termination.

Sexual harassment includes soliciting sexual favors from an unwilling subordinate or co-worker in return for promotions, increased wages, continuance of the job, as well as other unwelcome verbal, physical, or visual conduct of a sexual nature such as uninvited touching, sexually related comments, or displaying objects or pictures that depict men or women in a sexually suggestive or derogatory manner.

Hostile Environment Sexual Harassment occurs when the reported conduct unreasonably interferes with an employee's job performance or creates an intimidating, hostile or offensive work environment. The alleged conduct must be sufficiently pervasive to alter the conditions of the victim's employment and create an abusive working environment.

Employees are to report incidents of harassment immediately to their supervisors or Human Resources in accordance with the Commission's procedures covering sexual harassment.

Community Development Commission  
Administrative & Personnel Policies

140 Prohibition of Smoking in the Workplace

In accordance with state law, smoking is prohibited inside all CDC workplaces, and within 20 feet of any entrance to a CDC facility. All interior working and public areas of the Commission are designated as non-smoking areas in which tobacco products may neither be used nor sold. Smoking is prohibited in all Commission-owned vehicles. Work and common-use areas of all Commission-owned and/or leased buildings shall be appropriately signed as non-smoking areas.

Smoking shall be permitted at least 20 feet away from any entrance to a CDC facility unless this would violate a safety rule.

141 Working Environment

The Commission's Injury and Illness Prevention Plan (IIPP) establishes the responsibility of each Officer and employee to maintain a safe and healthy work environment. The Plan promotes teamwork and cooperation among employees, encourages conscientious customer service to the public, and assures a hazard-free work environment.

In addition, the Commission may establish policies, which encourage Officers and employees to maintain the highest degree of integrity, and which will not compromise the Commission's standards or programs. Any willful violations of the safety procedures or conduct standards may result in disciplinary action, up to and including termination.

**200 EMPLOYEE BENEFITS**

The Commission reserves the absolute right, in its discretion, at any time and from time to time, to discontinue coverage under any particular health and hospitalization plan, dental plan, life insurance plan, and/or disability insurance plan in which it or its employees have previously been enrolled and to substitute for such prior coverage alternate coverage which may be different in character and amount, and either more or less comprehensive. Officers and employees of the Commission shall not have or gain, by reason of their employment by the Commission, any vested rights in or to any particular health and hospitalization plan, dental plan, life insurance plan, and/or disability insurance plan coverage whatsoever.

Officers and employees may be required to make contributions for employee and dependent coverage.

The Commission reserves the right to recover and collect from the employee any amount owed by the employee for benefit insurances (e.g. medical, dental, vision, life and elective annual leave, etc.) by any reasonable method allowed by law or in equity, including but not limited to deducting said amounts from employee's subsequent paycheck(s) in one lump sum, in installments, or through some other reasonable repayment plan. The Commission further reserves the right to pursue any and all other rights and remedies afforded to it by law or in equity.

201 Continuous Service

An Officer or regular employee must be compensated for the equivalent of  $\frac{3}{4}$  of his/her standard hours per pay-period to accrue annual leave and sick leave; to receive flex dollar credit; and to participate in insurance benefits. If an Officer or employee fails to be compensated for  $\frac{3}{4}$  of his/her standard hours per pay-period, but wishes to continue insurance coverage, he/she may notify Human Resources of his/her decision in which case he/she will be required to pay premiums to continue insurance coverage.

202 Benefit Plans

202.1 Optional Benefits Plan

Effective January 1, 2006, for Officers and regular employees hired before October 1, 1997, the Commission will contribute a maximum of \$5420 per month for employee and dependent for group health, dental and vision insurance coverage. The Executive Director retains the discretion to increase this amount contingent upon Board approval. Any unused contribution is used for the employee's deferred compensation plan or paid as taxable income.

202.2 Flexible Benefits Plan

Effective January 1, 1998, an Officer or regular employee hired before October 1, 1997, may elect to enroll in the Flexible Benefits Plan in lieu of the Optional Benefit Plan. All employees hired as of January 1, 1998 participate in the Flexible Benefits Plan.

Effective January 1, 1998, the Commission offers a Flexible Benefits Plan to include the following benefits:

Community Development Commission  
Administrative & Personnel Policies

- Medical (including eligible domestic partners)
- Dental (including eligible domestic partners)
- Vision (including eligible domestic partners)
- Term Life
- Accidental Death and Dismemberment
- Elective Annual Leave
- Short-Term and Long-Term Disability
- Health Care Spending Account
- Dependent Care Spending Account
- State Disability

Please note that employees who contribute to California State Disability are eligible to take Paid Family Leave beginning on or after July 1, 2004. The standards for eligibility are established by the California Employment Development Department.

The Commission's monthly contribution for the Flexible Benefits Plan effective January 1, 2006, will be the greater of \$770~~90~~ or the following percentage of an employee's monthly salary based on years of service as of the employee's anniversary date:

- 14.5% - less than five years of service
- 17.0% - 5 to less than 10 years of service
- 17.4% - 10 years of service
- 17.8% - 11 years of service
- 18.2% - 12 years of service
- 18.6% - 13 years of service
- 19.0% - 14 or more years of service

**The Executive Director retains the discretion to increase this amount contingent upon Board approval.** Any unused contribution is used for the employee's deferred compensation plan or paid as taxable income.

Officers or regular employees must elect health coverage (single coverage) and have the option to waive all other benefits provided that the Officer or employee complies with certifying under penalty of perjury that he/she has covered, any spouse, former spouse, and/or dependent(s). Health coverage may be waived only if the Officer or employee is the primary subscriber, not a dependent, in an employer sponsored group medical plan or retirement medical plan or Medicare and must provide documentation showing coverage as the primary subscriber.

203 Retirement

As a condition of employment, Officers and regular employees shall participate in the California State Public Employees' Retirement System. (CALPERS).

The Commission will pay the normal employer portion of the (CALPERS) program and a portion of the employee's share of retirement contribution to a maximum four and one-half percent of the employee's monthly salary. The remaining two and one-half percent of the employee's share will be treated as the employee contribution through salary reduction for tax treatment only, pursuant to Section 414(h) (2) of the Internal Revenue Code.

204 Health Insurance Coverage

The Commission will provide group health insurance coverage, pursuant to employees' benefit plan elections under Section 202.

205 Continued Health Insurance Under Federal Law-COBRA

Employees and/or their dependents (beneficiaries) are eligible to continue at their own expense their health coverage at a premium of 102% of the applicable group rate if the following conditions **are met** apply:

1. Employees, who are terminated (except those terminated for gross misconduct), or who have a reduction of hours (partial or full layoff or an extended leave of absence of more than 30 days), are eligible to continue their health insurance benefits for 18 months, thereafter such employees are entitled to convert at their own expense their group policy to individual policies.
2. Qualified beneficiaries, who are no longer eligible for group health coverage because of (1) death of the employee, (2) divorce or legal separation from the employee, (3) the employee becoming eligible for Medicare, or (4) a dependent child of an employee being no longer qualified as a dependent, are eligible to continue their health insurance coverage for 36 months; thereafter such qualified beneficiaries are entitled to convert at their own expense their group policy to individual policies.
3. For plan years beginning on or after December 19, 1989, certain disabled qualified beneficiaries of employees, who are

Community Development Commission  
Administrative & Personnel Policies

terminated, (except those terminated for gross misconduct), or who have a reduction of hours (partial or full layoff or an extended leave of absence for more than 30 days), may be eligible to continue their health insurance benefits for an additional 11 months of COBRA continuation coverage for a maximum of 29 months. Disabled qualified beneficiaries may be charged 150% of the applicable group rate, after the initial 18-month period of continuation coverage. The qualified beneficiary's disability must be determined under Title II (Old Age, Survivors, and Disability Insurance) and Title XVI (Supplemental Security Income) of the Social Security Act. It is the qualified beneficiaries responsibility to obtain the disability determination from the Social Security Administration (SSA). A copy of the determination must be submitted to the Commission within 60 days of the date of the determination and before the end of the 18-month period for COBRA continuation in order to continue coverage under COBRA. **If the qualified beneficiary is determined by SSA to no longer be disabled, you must notify the Commission of that fact within 30 days of SSA's determination.**

4. New dependent(s) of a qualified beneficiary acquired through marriage during the period of continuation may be added to the coverage according to the rules of the health plan. The new dependent(s) do not gain the status of a qualified beneficiary (except for newborn(s) or adopted children).

Continuation benefits are no longer available when the earlier of the following occurs:

1. The expiration of the 18-month (29-month or 36-month if applicable) continuation period.
2. Commission ceases providing any group health plan to employees.
3. The premium is not paid timely by the employee and/or the beneficiary.
4. The qualified employee and/or beneficiary becomes covered by any other group plan or Medicare.
5. A beneficiary remarries and becomes covered by another health plan.

Community Development Commission  
Administrative & Personnel Policies

6. A qualified beneficiary provides notification to the Commission to cancel continuation coverage.

206 Continued Health Insurance Under California Law (Extended COBRA)

Employee's in the state of California who have fully completed the continuation coverage as provided under the federal law – COBRA are eligible at their own expense for an additional 18 months of coverage under California law for a maximum of 36 months from the date the employee's continuation coverage began under COBRA. The premiums for this extended 18 months of coverage may be raised to 110% of the applicable rates charged to the employer for active employees.

**The following only applies to an individual who has met the eligibility requirements for continuation coverage prior to January 1, 2005**

**Therefore, effective January 1, 2005, California law will limit Senior COBRA to those individuals who were eligible for California's Senior COBRA coverage prior to January 1, 2005.**

Employee's who have worked at least five years and are at least 60 years of age or older on the date their employment terminates, as well as their spouse, are eligible to continue their coverage at their own expense, under the same terms and conditions as were provided under federal COBRA, subject to payment of premium not to exceed 213% of the applicable group rate.

Extended continuation benefits are no longer available when the earlier of the following occurs:

1. The date any required premium is not paid after any grace period;
2. The date the group plan terminates and is not replaced;
3. The date the individual becomes insured under another group health plan;
4. The date the individual attains 65 years of age;
5. For a spouse, five years from the date the employee's employment ended.
6. A qualified beneficiary provides notification to the Commission

Community Development Commission  
Administrative & Personnel Policies

to cancel continuation coverage.

The employer shall notify the former employee of the availability of continuation benefits under this section at least 90 calendar days prior to the date continuation coverage under federal COBRA is scheduled to end. To continue health care coverage pursuant to this section, the individual shall elect to do so by notifying the health care service plan or the health insurer (insurance carrier) in writing within 30 calendar days prior to the date continuation coverage under federal COBRA is scheduled to end.

Premiums for state continuation coverage shall be billed by, and remitted to the health insurer (insurance carrier) or the health care service plan. Health insurance premiums will be due on the first of each month and are subject to a maximum grace period of thirty (30) days. Failure to pay the requisite premiums will result in termination of the continuation coverage in accordance with the applicable provisions in the plan's group subscriber agreement with the former employee.

207 Dental Insurance Coverage

The Commission will provide optional dental insurance coverage; pursuant to employees' benefit plan elections under Section 202.

208 Vision Insurance Coverage

The Commission will provide optional vision insurance coverage; pursuant to employees' benefit plan elections under Section 202.

209 Life Insurance

The Commission provides the \$5,000 basic term life insurance for each Officer and regular employee. Basic term life insurance is provided to Officers and regular employees, as of the date of employment, pursuant to employees' benefit plan elections under Section 202.

Employees who terminate from the Commission for any reason or who are no longer eligible for Commission paid coverage may be entitled to convert the \$5,000 basic term life insurance coverage into an individual policy. Applications for conversion must be filed with the appropriate insurance company within thirty-one (31) days after termination of employment or eligibility ceases, pursuant to employees' benefit plan elections under Section 202.

Community Development Commission  
Administrative & Personnel Policies

The Commission reserves the absolute right, in its discretion, at any time and from time to time, to discontinue coverage under any life insurance plan in which it or its employees have previously been enrolled and to substitute for such prior coverage alternate coverage which may be different in character and amount, and either more or less comprehensive. Employees of the Commission shall not have or gain, by reason of their employment with the Commission; any vested rights in or to any particular life coverage whatsoever, pursuant to employees' benefit plan elections under Section 202.

210 Accidental Death and Dismemberment Insurance

The Commission provides \$5,000 accidental death and dismemberment insurance for each Officer and regular employee. Group Accidental Death and Dismemberment insurance is provided as of the date of employment, pursuant to employees' benefit plan elections under Section 202.

211 Unemployment Insurance

The Commission will provide Unemployment Insurance as required by the State of California; pursuant to employees' benefit plan elections under Section 202.

212 Workers' Compensation

The Commission will provide Workers' Compensation benefits to all employees, as required by the State of California.

213 Disability Insurance

The Commission will provide an Officer or a regular employee a disability insurance plan; pursuant to employees' benefit plan elections under Section 202.

Officers and regular employees may elect to participate in the California State Disability Insurance Program administered by the State of California Employment Development Department.

Officers and employees who contribute to the California State Disability Insurance Program are eligible for Family Temporary Disability Insurance or Paid Family Leave beginning on or after July 1, 2004. The standards for eligibility are established by the California Employment Development Department.

Community Development Commission  
Administrative & Personnel Policies

214 Social Security Medicare

All employees appointed on or after April 1, 1986, will participate in the Social Security Medicare program.

215 Officer Automobile Allowance

The Commission may provide a maximum fixed monthly automobile allowance at the rate of \$300 for Directors and \$200 for Managers.

216 Retiree Medical

Effective July 1, 1992, the Commission will provide retiree medical benefits for only eligible Officers and regular employees. In order to be eligible an Officer or regular employee must have at least 10 years of continuous service with the Commission, or continuous previous service credit with the Housing Authority of the County of Los Angeles; and must be at least 50 years of age at retirement. The Commission will contribute towards the payment of medical insurance for the Officer or regular employee only per the following schedule:

10 - 14 years of service.....75%

15 - 19 years of service .....75% + 5% for every year of  
service over 15 years

20 + years of service .....100%

Effective January 1, 2005, the Commission will not contribute more than the highest amount contributed for a current regular employee of the Commission for employee only medical insurance. Further, the Commission reserves the right in its absolute discretion to pay no more than the amount paid on behalf of current regular employees for the most inexpensive employee only medical insurance.

Should a retiree decide to move outside of the service area of the current Commission health plans, the retiree is responsible for obtaining his/her own health insurance. Upon the retiree providing proof of insurance and cost of insurance coverage, the Commission will directly reimburse the retiree. The percentage of reimbursement will be based upon the above years of service schedule and no more than the highest amount contributed for a current regular employee of the Commission for employee only

Community Development Commission  
Administrative & Personnel Policies

medical insurance. In no case will the Commission reimburse the retiree an amount exceeding the actual cost of medical insurance coverage. The Commission also reserves the right in its absolute discretion to pay no more than the amount paid on behalf of current regular employees for the most inexpensive employee only medical insurance.

In addition, all retirees are required to enroll in Medicare Parts A & B upon reaching eligibility age. If the retiree fails to enroll in a timely manner, the Commission reserves the right in its absolute discretion to take a credit against the cost of medical coverage. If the retiree fails to ultimately enroll in Medicare Parts A & B, the Commission in its absolute discretion may cease to contribute towards the payment of medical insurance as provided in the above years of service schedule.

**2416.1 Retiree Dental**

Effective January 1, 2006, the Commission will provide retiree dental coverage for only eligible Officers and regular employees. In order to be eligible an Officer or regular employee, you must have at least 10 years of continuous service with the Commission or continuous previous service credit with the Housing Authority of the County of Los Angeles, and must be at least 50 years of age at the time of retirement. The Commission will contribute towards the payment of managed care dental insurance for the Officer or regular employee only per the following schedule:

10 - 14 years of service	75%
15 - 19 years of service	75% + 5% for every year of service over 15 years
20+ years of service	100%

The Commission will not contribute more than the amount equivalent to the amount paid for a current regular employee for employee only dental insurance benefits in the managed care dental plan of the Commission.

Community Development Commission  
Administrative & Personnel Policies

The Commission reserves the right in its absolute discretion to evaluate on an annual basis the feasibility of, and if the budget permits, fund continuation of dental coverage for the coming year. The Commission will notify all participating retirees of its decision during the annual open enrollment period.

Any retiree who is outside the service area of the current managed care dental plan of the Commission, the retiree is responsible for obtaining his/her own dental insurance. Upon the retiree providing satisfactory proof of dental insurance and cost of dental insurance, the Commission will directly reimburse the retiree. The percentage of reimbursement will be based upon the above years of service schedule and no more than an amount equivalent to the amount paid for a current regular employee for employee only dental insurance benefits in the managed care dental plan of the Commission. In no case will the Commission reimburse the retiree an amount exceeding the actual cost of dental insurance coverage.

216.2 Retiree Vision

Effective January 1, 2006, the Commission will provide retiree vision coverage for only eligible Officers and regular employees. In order to be eligible an Officer or regular employee, you must have at least 10 years of continuous service with the Commission or continuous previous service credit with the Housing Authority of the County of Los Angeles, and must be at least 50 years of age at the time of retirement. The Commission will contribute towards the payment of vision insurance for the Officer or regular employee only per the following schedule:

10 - 14 years of service ..... 75%

15 - 19 years of service ..... 75% + 5% for every  
year of service over 15  
years

20+ years of service ..... 100%

The Commission will not contribute more than the amount equivalent to the amount paid for a current regular employee for employee only coverage in vision care plan of the Commission.

The Commission reserves the right in its absolute discretion to evaluate on an annual basis the feasibility of and if the budget permits, fund continuation of coverage for the coming year. The Commission will notify all participating retirees of its decision during the annual open enrollment period.

Any retiree who is outside the service area of the current vision plan of the Commission, the retiree is responsible for obtaining his/her own vision insurance. Upon the retiree providing proof of vision insurance and cost of vision insurance, the Commission will directly reimburse the retiree. The percentage of reimbursement will be based upon the above years of service schedule and no more than an amount equivalent to the amount paid for a current regular employee for employee only vision insurance benefits. In no case will the Commission reimburse the retiree an amount exceeding the actual cost of vision insurance coverage.

#### 217 Additional Benefits

The Commission is authorized to provide the following additional benefits:

- A Credit Union Membership
- An Employee Assistance Program

The Commission is currently authorized to provide the following additional benefits through a payroll deduction program on a voluntary basis:

- A Savings Bond Program  
This plan allows employees to purchase U.S. savings bonds.
- A Deferred Compensation Plan  
This plan allows employees to make contributions through salary reduction (pre-tax basis) up to a maximum per calendar year, (adjusted for inflation), pursuant to Section 457 of the Internal Revenue Code. If any, the employer's matching contribution to employees participating in this plan is determined annually in the absolute discretion of the Commission.

Temporary employees are eligible for only those benefits required by law.

### **300 LEAVES WITH PAY**

#### **301 Annual Leave (Non-Elective)**

##### **301.1 Flexible Benefits Plan**

Effective January 1, 1998 Officers or regular employees enrolled in the Flexible Benefits Plan with at least one full year of service shall receive 80 hours of non-elective annual leave on January 1 of each calendar year. Officers or regular employees with less than one full year of service will receive a pro-rated number of non-elective annual leave hours on January 1. A new hire will begin accruing leave on the first pay period after the employee completes one full calendar month of compensated service. The non-elective annual leave hours are subject to the continuous service rule. The non-elective annual leave may be used for vacation, personal or family illness or injury, or personal leave purposes for employees who are enrolled in the Flexible Benefits Plan.

Up to 160 hours of elective annual leave may be purchased as part of the Flexible Benefits Plan. Before an employee can use any of the purchased elective hours the employee is required to use all non-elective leave hours issued on January 1 of the same Plan Year.

##### **301.2 Optional Benefits Plan**

Officers and regular employees hired before October 1, 1997 who are enrolled in the Commission's Optional Benefit Plan shall accrue annual leave used for vacation beginning with their first full calendar month of compensated service.

Annual leave is earned at rates equivalent to the following schedule for compensated service:

1 – 48 months of service.....10 workdays

49 – 120 months.....15 workdays

121 months or more of service....15 workdays plus one  
workday for each 12  
months over 120 months  
(not to exceed 20  
workdays)

Employees who separate employment will receive pro-rated non-elective annual leave days based on their months of service in the current calendar year and are subject to the compensated continuous service rule.

Unused annual leave for each employee in excess of 240 hours as of the last paycheck of each year may not be carried to the next calendar year. Any hours in excess of 240 will be paid to the employee at his/her hourly rate as of the last paycheck of the calendar year.

302 Bonus Annual Leave

Effective July 1, 1997, an employee shall receive 8 hours additional annual leave for each increment of 100 hours unused sick leave accrued to a maximum of 32 bonus hours.

Bonus annual leave shall be accrued and posted on a calendar year basis in January of each calendar year. Bonus annual leave applies only to Officers and regular employees who are enrolled in the Commission's Optional Benefits Plan. Employee shall accrue bonus annual leave each calendar year to be posted by the second pay period in January. Bonus annual leave shall be granted and utilized according to the normal provisions of annual leave.

303 Sick Leave

The equivalent of eight hours sick leave is accrued for each full month of compensated service for employees hired prior to October 1, 1997 under the Optional Benefit Plan. Sick leave may be used for personal or family illness, injury, pregnancy disability and medical, dental, or optical examination or treatment. Family is defined as spouse, child (biological, adopted, foster child, or step child who is under 18 years of age), and parent of the employee or domestic partner of employee.

304 Bereavement Leave

Up to three days of paid leave is permitted in the event of death of the following:

Father, mother, sister, brother, spouse, child, stepmother, stepfather, stepchild, mother-in-law, father-in-law, grandmother, grandfather, grandchild, or domestic partner.

Community Development Commission  
Administrative & Personnel Policies

305 Military Training or Duty Leave

Up to 30 working days per year is permitted for military training or duty.

306 Jury Duty and Witness Leave

Officers and regular employees are permitted up to 176 hours for jury duty and witness service. Employees will not be paid for jury duty performed on a regularly scheduled day off or while on an unpaid leave of absence.

Commission-related jury duty and witness service that extends beyond normal work hours will be credited as overtime.

307 Workers' Compensation

The amount of Workers' Compensation benefits is determined by the State Labor Code. The benefit payment is two-thirds of an employee's average weekly earnings up to a maximum set by the State Law. Officers and employees receiving Workers' Compensation benefits may elect to supplement Workers' Compensation with accrued leave. The total payments of Workers' Compensation and other benefits must not exceed 100 percent of the employee's gross regular pay. Leave accruals used, are taxable income.

308 Administrative Leave

When the Executive Director determines that it is in the best interest of the Commission and/or an Officer or employee, Administrative Leave may be authorized.

The Executive Director may approve up to five days of paid Administrative Leave per year for Officers in lieu of compensatory time.

**400 LEAVES WITHOUT PAY**

The following leave benefits and privileges apply to Officers and regular employees:

401 Personal Leave

Personal leaves of Officers and regular appointment employees shall be considered a privilege rather than a right. Such leave shall be

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Administrative & Personnel Policies

considered for an employee who has worked 1,250 hours with one year or more employment with the Commission, without prejudice to the interests of the employee, and in accordance with the welfare of the Commission and authorized approval of the Executive Director. Personal leaves shall not be granted to supplement any other paid or unpaid leaves of absence or to replace any paid leaves of absence in which an employee is without accruals, unless specifically provided below.

**Short Term Personal Leave.** Personal leave of five days or less may be authorized by the Division Director. This leave must be compelling and of an emergency nature.

**Extended Term Personal Leave.** Personal leave of more than five days, but less than 90 days, may be authorized in advance by the Executive Director for reasons of personal and/or family illness, study, or personal emergency.

**Long Term Personal Leave.** Personal leave of more than 90 days, but less than six months, may be authorized in advance by the Executive Director for reasons deemed in the best interest of the Commission.

402 Regulatory Leave

When the Executive Director determines that it is in the best interest of the Commission or an Officer or employee, Regulatory Leave may be authorized.

403 Military Service

An Officer or employee who enters active service of the Armed Forces of the United States shall be granted a leave of absence for time in service and 60 calendar days following discharge, or hospitalization continuing after discharge for a period of not more than three calendar months, or as required by law.

404 Parental Leave for School Visits

An employee who is a parent, guardian, or grandparent having custody of a child in kindergarten or grades 1 through 12, or attending a licensed child day care facility, may take off forty hours each school year, not exceeding eight hours in any calendar month of the school year, to participate in activities of the school or licensed child day care facility of any child, if the employee prior to taking time off, gives reasonable notice to the Executive Director or his/her designee of the

Community Development Commission  
Administrative & Personnel Policies

planned absence of the employee. This is unpaid, unless accrued annual leave or accrued compensatory time is utilized. The employee, if requested to do so, shall provide documentation from the school or licensed child day care facility as proof that he or she has visited the school on a specific day and at a particular time.

405 Family Care and Medical Leave

In accordance with federal and state law, employees who have worked continuously for at least one year and have completed 1,250 hours over the previous twelve months may take an unpaid leave of absence for up to twelve weeks in any twelve month period to care for a newborn child, to care for a child joining the household through adoption or foster care, to care for the employee's seriously ill spouse, child, or parent, or for the employee's own serious health condition that prevents the employee from performing his/her job.

The twelve-week federal family care (Family and Medical Leave Act/FMLA) runs concurrently with the six-week California Paid Family Leave (Family Temporary Disability Insurance Program/FTDI) and the twelve-week California family care leave (California Family Rights Act/CFRA), except in the case of a leave taken due to pregnancy disability.

A physician's certificate is required to verify the extent and duration of the employee's own illness, or the serious health condition necessitating the leave to care for an ill spouse, child, or parent. An employee who plans to take a family care leave must give a thirty-day notice when the leave is foreseeable.

Employees may choose to use accrued leaves with pay in accordance with Section 300. Employees may be required to use leave banks to meet the business needs of the Commission in the absolute discretion of the Commission and/or to prevent improper leave accruals.

406 Pregnancy Disability Leave

A pregnant employee is entitled to a reasonable leave of absence without pay for any temporary disability resulting from pregnancy, miscarriage, childbirth or recovery therefrom. Such reasonable leave of absence shall not exceed six months.

Employees may choose to use accrued leaves with pay in accordance with Section 300. Employees may be required to use leave banks to meet the business needs of the Commission in the

Community Development Commission  
Administrative & Personnel Policies

absolute discretion of the Commission and/or to prevent improper leave accruals.

As with all other temporary disabilities, a physician's certificate is required to verify the extent and duration of the temporary disability.

An employee who plans to take a pregnancy leave must give reasonable notice at least 30 days before the date she will take the leave. The notice must include the estimated duration of the leave.

Medical, dental and life insurance coverage will be continued through the end of the last calendar month subject to the continuous service rule unless the employee is eligible under the federal Family and Medical Leave Act (FMLA). Thereafter, an employee may make arrangements to pay insurance premiums.

An employee's Pregnancy Disability Leave will apply to the federal Family and Medical Leave Act (FMLA). For the first twelve weeks of the leave an eligible employee's group health benefits will be maintained at the same level it was prior to the leave, provided the employee maintains the same contribution amount as required prior to the leave of absence.

407 Medical Leave

An employee is entitled to a reasonable leave of absence without pay for any temporary disability resulting from illness, injury or recovery therefrom. Such reasonable leave of absence shall not exceed six months. If the employee has returned to work and has not completed six months of continuous employment, any period of leave for the same cause or causes longer than 12 weeks will be treated as one continuous period of leave. Such period of continuous leave shall not exceed six months.

Employees may choose to use accrued leaves with pay in accordance with Section 300. Employees may be required to use leave banks to meet the business needs of the Commission in the absolute discretion of the Commission and/or to prevent improper leave accruals.

As with all other temporary disabilities, a physician's certificate is required to verify the extent and duration of the temporary disability.

An employee who plans to take a medical leave must give reasonable notice at least 30 days, if possible, before the date he

Community Development Commission  
Administrative & Personnel Policies

or she will take the leave. The notice must include the estimated duration of the leave.

Medical, dental and life insurance coverage will be continued through the end of the last calendar month subject to the continuous service rule unless the employee is eligible under the federal Family and Medical Leave Act (FMLA). Thereafter, an employee may make arrangements to pay insurance premiums.

An employee's Medical Leave will apply to the federal Family and Medical Leave Act (FMLA). For the first twelve weeks of the leave an eligible employee's group health benefits will be maintained at the same level it was prior to the leave, provided the employee maintains the same contribution amount as required prior to the leave of absence.

408 Industrial Leave

An employee who has an industrial illness or injury is entitled to a leave of absence without pay until the employee can either return to duty and perform the essential functions of his or her prior job duties, with or without reasonable accommodation, or the employee is terminated due to a physical incapacity because: (1) he or she is still permanently disabled over 18 months after the industrial illness or injury and is eligible for vocational rehabilitation, and/or (2) he or she cannot perform the essential functions of his or her job duties, with or without reasonable accommodation, due to a permanent disability over 18 months after the industrial illness or injury.

As with all other temporary disabilities, a physician's certificate is required to verify the extent and duration of the temporary disability.

Medical, dental and life insurance coverage will be continued through the end of the last calendar month subject to the continuous service rule unless the employee is under the federal Family and Medical Leave Act (FMLA). Thereafter, an employee may make arrangements to pay his or her insurance premiums.

An employee's Industrial Leave will apply to the federal Family and Medical Leave Act (FMLA). For the first twelve weeks of the leave an eligible employee's group health benefits will be maintained at the same level it was prior to the leave, provided the employee maintains the same contribution amount as required prior to the leave of absence.

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The Commission will maintain group health benefits at the same level it was prior to the leave, provided the employee maintains the same contribution amount as required prior to the leave of absence, while an employee is temporarily disabled for a period not to exceed 18 months, unless a Court of Appeal shortens the time period an employer must maintain group health insurance benefits for an employee who is disabled due to an industrial illness or injury.

409 Domestic Violence Leave

Employees who are victims of domestic violence are eligible for unpaid leave. You may request leave if you are involved in a judicial action, such as obtaining restraining orders, appearing in court to obtain relief to ensure your health, safety or welfare, or that of your child. This is unpaid leave, unless accrued annual leave or accrued compensatory time is utilized.

An employee should provide notice and certification of a need to take leave under this policy. Certification may be sufficiently provided by any of the following:

- A police report indicating that the employee was a victim of domestic violence, or documentation from a legal counselor or attorney.
- A court order protecting or separating the employee from the perpetrator of an act of domestic violence, or other evidence from the court or prosecuting attorney that the employee appeared in court.
- Documentation from a medical professional, a domestic violence services advocate, a health-care provider, or a counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence.

The Commission will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

410 Paid Family Leave

In accordance with state law effective January 1, 2004, employees who contribute to the California State Disability Insurance program may be eligible for up to six (6) weeks of paid benefits when time

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Administrative & Personnel Policies

off work is taken to bond with employee's own child or employee's domestic partner's child; or a child placed for adoption or foster care with employee or employee's domestic partner; or to provide care to a child, parent, spouse or domestic partner of an employee who is seriously ill or unable to take care of themselves. An employee who plans to take a Paid Family Leave must give a thirty day notice when the leave is foreseeable.

The standards for eligibility are established by the California Employment Development Department. Claims for Paid Family Leave beginning on or after July 1, 2004 are payable through the Employment Development Department, State of California, and are subject to a waiting period of seven consecutive days during which no benefits are available.

The six-week California Paid Family Leave (Family Temporary Disability Insurance Program/FTDI) runs concurrently with the twelve-week federal family care leave (Family and Medical Leave Act/FMLA) and twelve-week California family care leave (California Family Rights Act/CFRA), if applicable.

## **500 UNAUTHORIZED LEAVES**

An employee shall notify his/her supervisor or a member of management during the first hour of each workday if he/she is unable to report to work. An employee who does not report to work for three consecutive workdays and who has not reported his/her absence to his/her supervisor or a member of management, shall be considered to have voluntarily resigned from his/her position with the Commission.



**HOUSING AUTHORITY  
of the County of Los Angeles**

Administrative Office  
2 Coral Circle • Monterey Park, CA 91755  
323.890.7001 • [www.lacdc.org](http://www.lacdc.org)

**Gloria Molina**  
**Yvonne Brathwaite Burke**  
**Zev Yaroslavsky**  
**Don Knabe**  
**Michael D. Antonovich**  
*Commissioners*

**Carlos Jackson**  
*Executive Director*

August 24, 2005

Honorable Housing Commissioners  
Housing Authority of the  
County of Los Angeles  
2 Coral Circle  
Monterey Park, California 91755

Dear Commissioners:

**APPROVE CONSTRUCTION CONTRACT FOR NATURAL GAS LINE  
REPLACEMENT AT CARMELITOS FAMILY HOUSING DEVELOPMENT (4)**

**IT IS RECOMMENDED THAT YOUR COMMISSION:**

1. Recommend that the Board of Commissioners find that the replacement of natural gas lines serving 22 units at the Carmelitos family housing development, located at 1000 Via Wanda, Long Beach, is exempt from the provisions of the California Environmental Quality Act (CEQA), as described herein, because the work includes activities that will not have the potential for causing a significant effect on the environment.
2. Recommend that the Board of Commissioners approve the award of a Construction Contract (Contract) in the amount of \$143,360 to M.L. Construction, to complete phase one of the gas line replacement project at the subject property; and authorize the Executive Director of the Housing Authority to execute the Contract and all related documents, to be effective upon the issuance of the Notice to Proceed, which will not exceed 30 days following the date of Board approval.
3. Recommend that the Board of Commissioners authorize the Executive Director to use a total of \$143,360 in Community Development Block Grant (CDBG) Float Loan funds, for the purpose described herein; and authorize the Executive Director to approve Contract change orders not exceeding \$28,672 for unforeseen project costs, using the same source of funds.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:**

The purpose of this action is to award a Contract to complete phase one of the gas line replacement project at the Carmelitos family housing development.

**FISCAL IMPACT/FINANCING:**

There is no impact on the County general fund. The Housing Authority will fund the improvements with \$143,360 in previously-approved CDBG Float Loan funds. A 20 percent contingency, in the amount of \$28,672, is also being set aside for unforeseen costs, using the same source of funds. The staff's estimate to complete the work is \$176,865.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS:**

On May 25, 2004, the Board approved a CDBG Float Loan between the County of Los Angeles and the Housing Authority to provide funding for site and building improvements at six public housing developments, including gas line replacement at the Carmelitos family housing development.

The 558-unit housing development spans 85 buildings and consists of one-, two-, three- and four-bedroom units. The gas line replacement project will be completed in three phases. Phase one, addressed by the proposed Contract, will include five buildings, with gas lines replaced in at least one of the above bedroom sizes to determine if any unforeseen conditions are present. Following successful completion of phase one, the Housing Authority will return to the Board to approve contracts for phases two and three.

The work is required in order to replace gas lines that are deteriorated due to age and damage by corrosion, which poses a potential safety and liability hazard. The work includes installation of new gas lines from the gas meter to the point of connection of home appliances, such as water heaters, gas dryers, ranges, wall furnaces, and all associated work. Buildings 53, 54, 55, 59 and 71 will be included in phase one, which encompasses a total of 22 units. It is anticipated that the project will be completed within 120 calendar days following the Notice to Proceed.

The improvements are being federally funded, and are not subject to the requirements of the Greater Avenues for Independence (GAIN) Program or the General Relief Opportunity for Work (GROW) Program implemented by the County of Los Angeles. Instead, M.L. Construction will comply with Section 3 of the Housing and Community Development Act of 1968, as amended, which requires that employment and other economic opportunities generated by certain HUD assistance be directed to low- and very low-income persons, particularly to persons who are recipients of HUD housing assistance.

The Contract has been approved as to form by County Counsel and executed by M.L.Construction. On August 24, 2005, the Housing Commission recommended approval of the Contract award.

**ENVIRONMENTAL DOCUMENTATION:**

Pursuant to 24 Code of Federal Regulations, Part 58, Section 58.35 (a)(3)(ii), this project is excluded from the National Environmental Policy Act (NEPA), because it involves activities that will not alter existing environmental conditions. It is exempt from the provisions of CEQA, pursuant to State CEQA Guidelines 15301, because it involves negligible or no expansion of use beyond what currently exists and does not have the potential for causing a significant effect on the environment.

The environmental review record for this project is available for viewing by the public during regular business hours at the Housing Authority's main office located at 2 Coral Circle, Monterey Park.

**CONTRACTING PROCESS:**

On May 23, 2005, the Housing Authority initiated an outreach to identify a contractor to complete the work at the subject property. Invitations for Bids were mailed to 445 contractors identified from the Housing Authority's vendor list. Advertisements also appeared in nine local newspapers and on the County Web Ven. Two bid packages were requested and distributed.

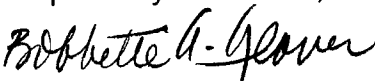
On June 14, 2005, two bids were received and formally opened. The lowest bid, submitted by M.L. Construction, was determined to be the most responsive and is being recommended for the Contract award.

The Summary of Outreach Activities is provided as Attachment A.

**IMPACT ON CURRENT PROJECT:**

The award of the Contract will replace the gas lines and provide the residents with safe living conditions.

Respectfully submitted,

*for*   
CARLOS JACKSON  
Executive Director

Attachments: 2  
CJ:MD:Carmelitos Gas Pipeline

## ATTACHMENT A

### Summary of Outreach Activities

On May 23, 2005, the following outreach was initiated to identify a contractor for replacement of gas lines at the Carmelitos family housing development, located at 1000 Via Wanda, Long Beach, CA.

#### A. Newspaper Advertising

Announcements appeared in the following nine local newspapers:

Dodge Construction News	Los Angeles Sentinel
Eastern Group Publications	Los Angeles Times
International Daily News	The Daily News
La Opinion	WAVE Community Newspapers
Long Beach Press Telegram	

An announcement was also posted on the County Web Ven.

#### B. Distribution of Bid Packages

The Housing Authority's vendor list was used to mail out Invitations for Bids to 445 contractors, of which 391 identified themselves as businesses owned by minorities or women (private firms which are 51 percent owned by minorities or women, or publicly-owned businesses in which 51 percent of the stock is owned by minorities or women). As a result of the outreach, two bid packages were requested and distributed.

#### C. Pre-Bid Conference and Site Walk

On May 31, 2005, a mandatory pre-bid conference and site walk was conducted. Two firms were in attendance.

#### D. Bid Results

On June 14, 2005, a total of two bids were received and publicly opened. The bid results were as follows:

<u>Company</u>	<u>Bid Amount</u>
ML Construction	\$143,360.00
WE Construction*	\$172,580.00
*Minority-owned firm	

#### E. Minority/Female Participation – Selected Contractor

<u>Name</u>	<u>Ownership</u>	<u>Employees</u>
M.L. Construction	Non-minority	Total: 17 7 minorities 1 woman 41% minorities 6% women
V & M Iron Works (Sub) (Plumbing Installer)	Minority	Total: 22 22 minority 1 woman 100% minorities 5% women
NSK Construction (Sub) (Plumbing Installer)	Minority	Total: 16 7 minorities 1 woman 44% minorities 6% women

F. Minority/Female Participation – Firm Not Selected

<u>Name</u>	<u>Ownership</u>	<u>Employees</u>
WE Construction	Minority	Total: 5 5 minorities 1 woman 100% minorities 20% women

The Housing Authority conducts ongoing outreach to include minorities and women in the contract award process, including: providing information at local and national conferences; conducting seminars for minorities and women regarding programs and services; advertising in newspapers to invite placement on the vendor list; and mailing information to associations representing minorities and women. The above information has been voluntarily provided to the Housing Authority.

The recommended award of the contract is being made in accordance with the Housing Authority's policies and federal regulations, and without regard to race, creed, color, or gender.

## **Contract Summary**

**Project Name:** Carmelitos Gas Line Replacement  
**Location:** 1000 Via Wanda, Long Beach, CA 90805  
**Bid Number:** CM-05-038  
**Bid Date:** 6/14/2005  
**Contractor:** M.L. Construction  
**Services:** Gas Line Replacement to 22 units of family housing

**Contract Documents:** Part A - Instructions to Bidders and General Conditions; Part B - Specifications; Part C - Bidder's Documents, Representations, Certifications, Bid, and Other Statements of Bidder; all addenda to the Contract Documents.

**Time of Commencement and Completion:** The work to be performed under this Construction Contract shall be commenced within thirty (30) days after a Notice to Proceed is received by the Contractor, or on the date specified in the Notice, whichever is later, and shall be completed within one hundred twenty (120) calendar days following the commencement date.

**Liquidated Damages:** In the event of breach of contract, the Contractor and his/her sureties shall be liable for, and shall pay to the Housing Authority the sum of **Four Hundred Dollars (\$400)** as liquidated damages for each calendar day of delay, until the Work is accepted by the Owner.

**Contract Sum:** The Housing Authority shall pay the Contractor for the performance of the Construction Contract subject to additions and deductions by Change Order(s) as provided in the Contract Documents, in current funds, the sum of **One Hundred Forty Three Thousand Three Hundred Sixty Dollars (\$143,360)**. The Contract Sum is not subject to escalation, and includes all labor and material increases anticipated throughout the duration of this Construction Contract.

**Contract Contingency: \$28,672**



**Carlos Jackson**  
Executive Director

**HOUSING AUTHORITY  
of the County of Los Angeles**

Administrative Office

2 Coral Circle • Monterey Park, CA 91755

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**Gloria Molina**  
**Yvonne Brathwaite Burke**  
**Zev Yaroslavsky**  
**Don Knabe**  
**Michael D. Antonovich**  
Commissioners

August 24, 2005

Honorable Housing Commissioners  
Housing Authority of the  
County of Los Angeles  
2 Coral Circle  
Monterey Park, California 91755

Dear Commissioners:

**ADOPT RESOLUTION APPROVING AND CERTIFYING PUBLIC  
HOUSING ASSESSMENT SYSTEM MANAGEMENT OPERATIONS  
CERTIFICATION (ALL DISTRICTS)**

**IT IS RECOMMENDED THAT YOUR COMMISSION:**

1. Recommend that the Board of Commissioners adopt and instruct the Chair to sign the attached Resolution approving and certifying the accuracy of information contained in the 2004-2005 Public Housing Assessment System Management Operations Certification (PHAS Certification), which includes management data on 2,958 Conventional Public Housing Program units administered by the Housing Authority.
2. Recommend that the Board of Commissioners authorize the Executive Director of the Housing Authority to sign the PHAS Certification and to submit the Resolution and the PHAS Certification to the U.S. Department of Housing and Urban Development (HUD).

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:**

HUD requires that all public housing authorities annually submit PHAS Certifications for the previous fiscal year. The Housing Authority has completed the PHAS Certification for the 2004-2005 Fiscal Year, and is requesting that the Board adopt the attached Resolution approving and certifying the accuracy of the report.



Honorable Housing Commissioners  
August 24, 2005  
Page 2

**FISCAL IMPACT/FINANCING:**

There is no impact on the County general fund. The PHAS Certification is a management report required by HUD as a condition for funding under the Conventional Public Housing Program.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS:**

HUD requires a certification process to gather and report data to assess the performance of public housing agencies, and to evaluate funding applications. The PHAS Certification contains information to identify areas needing improvement and to suggest corrective measures. The information includes: the number and percentage of vacancies; modernization activities being undertaken; time required to fill unit vacancies; work order turnaround time; annual inspections and condition of housing units; screening of applicants; resident initiatives activities, such as anti-drug and economic self-sufficiency programs; and crime and eviction tracking.

The Housing Authority was rated a standard performer for the 2003-2004 assessment period. The 2004-2005 performance rating will be calculated and verified by HUD through a post-certification audit.

HUD requires that the Board adopt the attached Resolution approving and certifying the accuracy of the information contained in the PHAS certification. County Counsel has approved the Resolution as to form.

**IMPACT ON CURRENT SERVICES AND PROJECTS:**

Adoption of the Resolution approving the PHAS Certification is a requirement for continued funding under the Conventional Public Housing Program.

Respectfully submitted,

  
CARLOS JACKSON  
Executive Director

CJ:mm:BoardLetter\_PHAS 2005  
Attachments: 2

RESOLUTION APPROVING AND CERTIFYING ACCURACY OF INFORMATION  
CONTAINED IN THE PUBLIC HOUSING ASSESSMENT SYSTEM MANAGEMENT  
OPERATIONS CERTIFICATION FOR THE FISCAL YEAR ENDING JUNE 30, 2005,  
FOR SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has established the Public Housing Assessment System Management Operations Certification (the "PHAS Certification") to provide an objective system for measuring the performance of public housing agencies; and

WHEREAS, the Housing Authority of the County of Los Angeles (the "Authority") has completed the attached PHAS Certification for the fiscal year ending June 30, 2005, as requested by HUD; and

WHEREAS, HUD has requested that the Board of Commissioners of the Authority adopt a Resolution approving the attached PHAS Certification and attesting to the accuracy of the information contained therein.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Authority as follows:

1. The attached PHAS Certification is approved; and
2. The information contained in the attached PHAS Certification is certified to be accurate.

HOUSING AUTHORITY OF THE  
COUNTY OF LOS ANGELES

By \_\_\_\_\_  
Chair, Board of Commissioners

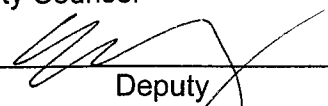
ATTEST:

VIOLET VARONA-LUKENS  
Executive Officer/Clerk of  
the Board of Commissioners

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

By  \_\_\_\_\_  
Deputy

APPROVED BY BOARD ACTION ON \_\_\_\_\_

**Public Housing Assessment  
System (PHAS) Management  
Operations Certification**

**U.S. Department of Housing  
and Urban Development  
Real Estate Assessment Center**

OMB No. 2535-0106  
(exp.09/01/2002)

**Public reporting burden** for this collection of information is estimated to average **1.8 hours per response**, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is collected to implement section 502 of the National Affordable Housing Act of 1990, as amended, which established specific indicators to assess the management performance of public housing agencies (PHAs) in all major areas of management operations. PHAs will complete the PHAS Certification form HUD-50072 and electronically submit it to HUD. If a PHA does not have this capability in-house, the PHA should consider utilizing local resources, such as the library or another local government entity that has Internet access. In the event local resources are not available, a PHA may go to the nearest HUD Public Housing program office and assistance will be given to the PHA to transmit this PHAS certification. The information is used by HUD as a component of PHAS to assess all major areas of PHA's management operations, designate PHAs as troubled and PHAs troubled with respect to the program for assistance from the Capital Fund under Section 9, enter into a Memorandum of Agreement (MOA) with troubled PHAs and PHAs troubled with respect to the program for assistance from the Capital Fund under Section 9, and report annually to Congress on the status of troubled PHAs and PHAs troubled with respect to the program for assistance from the Capital Fund under Section 9. This information is required for HUD to fulfill statutory requirements of the 1990 Act. The information collected does not lend itself to confidentiality.

**Instructions:** A PHA/AME's electronic responses to this certification must be the PHA/AME's actual data; e.g., prior to any adjustments to the indicators. Round percentages to the nearest two decimal points.

PHA/AME Name	For FY Ending	Submission Date
HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES	06/30/2005	09/15/2005
Project name(s) if AME		

The management functions for the following sub-indicator (s) have been assumed by an RMC, and the RMC certification will be completed and submitted to HUD (enter sub-indicator numbers or N/A):

**Sub-Indicator #1: Vacant Unit Turnaround Time**

V12400	Total number of turnaround days.	41,778
V12500	Total number of vacancy days exempted for Capital Fund.	4,109
V12600	Total number of vacancy days exempted for other reasons.	111
V12700	Total number of vacant units turned around and lease in effect in the PHA's immediate past fiscal year.	314
V12800	Average number of calendar days units were in down time.	4
V12900	Average number of calendar days units were in make ready time.	7
V13000	Average number of calendar days units were in lease up time.	123
V13100	Average unit turnaround days.	133

**Sub-Indicator #2: Capital Fund**

CF10000	Do you have any open Capital Fund programs (e.g., CIAP, CGP, Hope VI, LBPR, VRP) (Y/N)? Open = any program that does not have a pre-audit end date or that received a pre-audit end date during the fiscal year being assessed. Component #1 and #2 (please circle yes or no)	<input checked="" type="radio"/> Yes <input type="radio"/> No
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**Component #1: Unexpended Funds Over Three Federal Fiscal Years (FFYs) Old**

CF10050	Total funds authorized over 3 FFYs old that do not have a pre-audit end date or that received a pre-audit end date during the fiscal year being assessed.	\$14,403,318
CF10100	Total funds expended over 3 FFYs old that do not have a pre-audit end date or that received a pre-audit end date during the fiscal year being assessed.	\$14,403,318
CF10200	Unexpended funds to be recaptured.	\$0
CF10300	Unexpended funds approved by HUD over 3 FFYs old.	\$0
CF10400	Unexpended funds with time extensions due to reasons outside of PHA control.	\$0
CF10500	Adjusted total unexpended funds.	\$0

**Public Housing Assessment  
System (PHAS) Management  
Operations Certification**

**U.S. Department of Housing  
and Urban Development**  
Real Estate Assessment Center

OMB No. 2535-0106  
(exp.09/01/2002)

**Component #2: Timeliness of Fund Obligation**

CF11100	Total funds authorized for grants older than 2 FFYs old.	\$14,294,100
CF11200	Total funds obligated over 2 FFYs old.	\$14,294,100
CF11300	Unobligated funds approved by HUD over 2 FFYs old.	\$0
CF11400	Unobligated funds with time extensions due to reasons outside of PHA control.	\$0
CF11500	Adjusted total unobligated funds.	\$0

**Component #3: Adequacy of Contract Administration**

CF11700	The date of the last HUD/Army Corps of Engineers on-site inspection and/or audit related to contract administration (include A-133 Audit).	04/22/2002
CF11800	The number of findings related to contract administration.	0
CF11900	The number of findings related to contract administration that have been corrected by the PHA.	0
CF12000	The number of findings related to contract administration that the PHA is in the process of correcting.	0

**Component #4: Quality of the Physical Work**

CF12200	The date of the last HUD/Army Corps of Engineers on-site inspection and/or audit related to the quality of physical work.	04/22/2002
CF12300	The number of findings related to the quality of physical work.	0
CF12400	The number of findings related to the quality of physical work that have been corrected by the PHA.	0
CF12500	The number of finding related to the quality of physical work that the PHA is in the process of correcting.	0

**Component #5: Adequacy of Budget Controls**

CF12700	Total amount of Capital Funds expended during the PHA fiscal year being assessed.	\$20,053,145
CF12800	The amount of Capital Funds expended on approved work items not subject to budget revisions during the PHA fiscal year being assessed.	\$20,053,145
CF12900	The amount of Capital Funds expended under budget revisions with prior HUD approval during the PHA fiscal year being assessed.	\$0
CF13000	The amount of Capital Funds expended under budget revisions not requiring prior HUD approval during the PHA fiscal year being assessed.	\$0

**Sub-Indicator #3: Work Orders**

**Component #1: Emergency Work Orders**

W10000	Total number of emergency work orders.	1,430
W10100	Total number of emergency work orders completed / abated within 24 hours.	1,430
W10200	Percentage of emergency work orders completed / abated within 24 hours.	100 %

**Component #2: Non-Emergency Work Orders**

W10500	Total number of non-emergency work orders.	9,858
W10600	Total number of calendar days it took to complete non-emergency work orders.	19,308
W10700	Average number of days PHA has reduced the time it takes to complete non-emergency work orders over the past three years.	.16
W10800	Average completion days.	2

**Public Housing Assessment  
System (PHAS) Management  
Operations Certification**

U.S. Department of Housing  
and Urban Development  
Real Estate Assessment Center

OMB No. 2535-0106  
(exp.09/01/2002)

**Sub-Indicator #4: Annual Inspection of Dwelling Units and Systems**

Component #1: Annual Inspection of Dwelling Units

A10000	The total number of ACC units.	2,958
A10100	The sum of units exempted where the PHA made two documented attempts to inspect and is enforcing the lease.	0
A10200	Vacant units exempted for Capital Fund.	43
A10300	Vacant units exempted for other reasons.	23
A10400	Total number of units inspected using the Uniform Physical Condition Standards (UPCS).	2958
A10550	Total number of units inspected that did not require repairs.	1,448
A10600	The number of units where necessary repairs were completed to comply with UPCS either during the inspection, issued work orders for the repairs, or referred the deficiency to the current year's or next year's Capital Fund program.	1,510
A10700	Adjusted units available.	2892
A10800	Percent of units inspected by PHA.	100%

Component #2: Annual Inspection of Systems including Common Areas and Non-Dwelling Space

A11100	Total number of sites.	38
A11200	Total number of sites exempted from the inspection of systems.	0
A11300	The total number of sites where all systems were inspected in accordance with the UPCS.	38
A11400	Total number of buildings.	411
A11500	Total number of buildings exempted from the inspection of systems.	0
A11600	The total number of buildings where all systems were inspected in accordance with the UPCS.	411
A11700	The number of buildings and sites where necessary repairs were completed to comply with the Uniform Physical Conditions Standards either during the inspection, issued work orders for the repairs, or referred the deficiency to the current year's or next year's Capital Funds program.	308
A11800	Percentage of sites inspected.	100%
A11900	Percentage of buildings inspected.	100%

**Sub-Indicator #5: Security**

Component#1: Tracking and Reporting Crime-Related Problems

S10000	The date that the Board adopted current policies to track crime and crime-related problems.	04/13/1999
S10100	The date that the PHA implemented the current procedures to track crime and crime-related problems.	04/13/1999
S10200	The date that the PHA implemented a current cooperative system for tracking and reporting crime to local police authorities.	04/13/1999
S10300	The number of crimes that the PHA can document it reported to local police authorities.	888
S10400	Percentage of developments where PHA can document it tracks crime and crime-related problems.	100%

Component#2: Screening of Applicants

S10500	The date the Board adopted current screening policies that reflect the One-Strike criteria.	04/13/1999
S10600	The date the PHA implemented current screening procedures that reflect the One-Strike criteria.	04/13/1999
S10700	PHA can document that current screening procedures result in successfully denying admission to applicants who meet the One-Strike criteria. (please circle yes or no)	<input checked="" type="radio"/> Yes <input type="radio"/> No
S10800	The total number of applicants denied who met the One-Strike criteria.	23

**Public Housing Assessment  
System (PHAS) Management  
Operations Certification**

**U.S. Department of Housing  
and Urban Development**  
Real Estate Assessment Center

OMB No. 2535-0106  
(exp.09/01/2002)

Component#3: Lease Enforcement

S10900	The date the Board adopted current eviction procedures that reflect the One-Strike criteria.	04/13/1999
S11000	The date the PHA implemented current eviction procedures that reflect the One-Strike criteria.	04/13/1999
S11100	PHA can document that current eviction screening procedures resulted in the eviction of residents who meet the One-Strike criteria. (please circle yes or no)	<input checked="" type="radio"/> Yes <input type="radio"/> No
S11200	The total number of evictions as a result of the One-Strike criteria.	15

Component#4: Drug Prevention and/or Crime Reduction Program Goals

S11350	The number of HUD-funded drug prevention and/or crime reduction programs.	5
S11450	The number of non HUD-funded drug prevention and/or crime reduction programs that the PHA requests to be assessed.	0
S11550	The number of documented program goals that are related to drug prevention and/ or crime reduction.	5
S11600	The number of goals the PHA can document it met under the implementation plan(s) for any and all of these programs.	5
S11700	Percentage of goals that the PHA can document it met under implementation plan(s) for any and all of these programs.	100%

**Sub-Indicator #6: Economic Self-Sufficiency**

E10000	The number of HUD-funded economic self-sufficiency programs.	2
E10100	The number of non HUD-funded economic self-sufficiency programs that the PHA requests to be assessed.	0
E10200	The number of documented program goals that are related to economic self-sufficiency.	4
E10300	The number of goals the PHA can document it met under the implementation plan(s) for any and all of these programs.	2
E10400	Percentage of goals that the PHA can document it met under implementation plan(s) for any and all of these programs.	50%

**Adjustments for Physical Condition and/or Neighborhood Environment**

Please enter project number and name and indicate which area the adjustment for Physical Condition and/or Neighborhood Environment applies for a project. (Check all that apply)

Project No.	Project Name	Site	Common Areas	Building Exteriors
CA16P002001	Carmelitos	×	×	×
CA16P002026	Carmelitos Senior	×	×	×

Please attach additional sheets as necessary for additional projects.

**Public Housing Assessment  
System (PHAS) Management  
Operations Certification**

**U.S. Department of Housing  
and Urban Development**  
Real Estate Assessment Center

OMB No. 2535-0106  
(exp.09/01/2002)

I certify that, as of the submission date, the above sub-indicators, under Public Housing Assessment System indicator #3 Management Operations are true and accurate for the fiscal year indicated. I further certify that, to my present knowledge, there is no evidence to indicate seriously deficient performance that casts doubt on the PHA's capacity to present and protect its public housing developments and operate them in accordance with Federal law and regulations. Appropriate sanctions for intentional false certification will be imposed, including suspension or debarment of the signatory.

A Board Resolution approving this certification is required. I further certify that Board Resolution number \_\_\_\_\_ approving this certification was passed on (mm/dd/yyyy) \_\_\_\_\_.

Executive Director (signature)	Date (mm/dd/yyyy)
X	X



**HOUSING AUTHORITY  
of the County of Los Angeles**

Administrative Office  
2 Coral Circle • Monterey Park, CA 91755  
323.890.7001 • [www.lacdc.org](http://www.lacdc.org)

**Gloria Molina**  
**Yvonne Brathwaite Burke**  
**Zev Yaroslavsky**  
**Don Knabe**  
**Michael D. Antonovich**  
*Commissioners*

**Carlos Jackson**  
*Executive Director*

August 24, 2005

Honorable Housing Commissioners  
Housing Authority of the  
County of Los Angeles  
2 Coral Circle  
Monterey Park, California 91755

Dear Commissioners:

**APPROVE CONSTRUCTION CONTRACT FOR PARKING LOT RENOVATION  
AT NUEVA MARAVILLA HOUSING DEVELOPMENT (1)**

**IT IS RECOMMENDED THAT YOUR COMMISSION:**

1. Recommend that the Board of Commissioners find that the renovation of two parking lots at the Nueva Maravilla housing development, located at 4919 E. Cesar E. Chavez Avenue, in unincorporated East Los Angeles, is excluded from the provisions of the National Environmental Policy Act (NEPA) and exempt from the provisions of the California Environmental Quality Act (CEQA), as described herein, because the work includes activities that will not have the potential for causing a significant effect on the environment.
2. Recommend that the Board of Commissioners approve the award of a Construction Contract in the amount of \$125,000 to Commercial Paving & Coating, Inc., to complete parking lot renovations at the subject property; and authorize the Executive Director of the Housing Authority to execute the Construction Contract and all related documents, to be effective upon the issuance of the Notice to Proceed, which will not exceed 30 days following the date of Board approval.
3. Recommend that the Board of Commissioners authorize the Executive Director to use a total of \$125,000 in Community Development Block Grant (CDBG) funds allocated by the U.S. Department of Housing and Urban Development (HUD), for the purposes described herein; and authorize the Executive Director to approve Construction Contract change orders not exceeding \$25,000 for unforeseen project costs, using the same source of funds.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:**

The purpose of this action is to award a Construction Contract to complete parking lot renovations at the Nueva Maravilla housing development.

**FISCAL IMPACT/FINANCING:**

There is no impact on the County general fund. The Housing Authority will fund the improvements with \$125,000 in CDBG funds allocated by HUD. A 20 percent contingency, in the amount of \$25,000, is also being set aside for unforeseen costs, also using CDBG funds. The staff estimate to complete the work is \$102,000.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS:**

Two of the parking lots at the Nueva Maravilla housing development are damaged. One of the parking lots, which serves the administration building, is over 20 years old and is severely deteriorated due to heavy truck traffic. The 24-space parking lot will be entirely removed, the area will be re-graded, and a new concrete parking lot will be installed. This will better accommodate the heavier maintenance and trash disposal vehicles that pass through this parking lot. The second parking lot, located in front of the Community Center, requires resurfacing. A slurry seal will be applied to the asphalt on this 14-space parking lot. Both parking lots will be re-stripped and disabled signage will be included. It is anticipated that the entire project will be completed within 90 calendar days following the Notice to Proceed. During construction, the work will be completed in phases to allow staff and residents to park in the lots.

The improvements are being federally funded, and are not subject to the requirements of the Greater Avenues for Independence (GAIN) Program or the General Relief Opportunity for Work (GROW) Program implemented by the County of Los Angeles. Instead, Commercial Paving & Coating, Inc., will comply with Section 3 of the Housing and Community Development Act of 1968, as amended, which requires that employment and other economic opportunities generated by certain HUD assistance be directed to low- and very low-income persons, particularly to persons who are recipients of HUD housing assistance.

The Construction Contract has been approved as to form by County Counsel and executed by Commercial Paving & Coating, Inc.

**ENVIRONMENTAL DOCUMENTATION:**

Pursuant to 24 Code of Federal Regulations, Part 58, Section 58.35 (a)(1), this project is excluded from NEPA, because it involves activities that will not alter existing environmental conditions. It is exempt from the provisions of CEQA, pursuant to State

CEQA Guideline 15301, because it involves negligible or no expansion of use beyond what currently exists and does not have the potential for causing a significant effect on the environment.

The environmental review record for this project is available for viewing by the public during regular business hours at the Housing Authority's main office located at 2 Coral Circle, Monterey Park.

**CONTRACTING PROCESS:**

On June 23, 2005, the Housing Authority initiated an outreach to identify a contractor to complete the work at the subject properties. Invitations for Bids were mailed to 35 contractors identified from the Housing Authority's vendor list. Advertisements also appeared in eight newspapers and on the County Web Site. Four bid packages were requested and distributed.

On July 21, 2005, one bid was received and formally opened. The bid submitted by Commercial Paving & Coating, Inc. was determined to be responsive and is being recommended for the contract award.

The Summary of Outreach Activities is provided as Attachment A.

**IMPACT ON CURRENT PROJECT:**

The award of the Contract will upgrade and preserve the site, and provide residents and visitors with properly maintained parking lots.

Respectfully submitted,

*for* 

CARLOS JACKSON  
Executive Director

CJ:pa:Marav Pkg Lots 05

Attachments: 2

## ATTACHMENT A

### Summary of Outreach Activities

#### Parking Lot Renovation at the Nueva Maravilla Housing Development

On June 23, 2005, the following outreach was initiated to identify a contractor to complete parking lot renovation at the Nueva Maravilla housing development in unincorporated East Los Angeles.

#### A. Newspaper Advertising

Announcements appeared in the following eight local newspapers:

Dodge Construction News	Los Angeles Sentinel
Eastern Group Publications	Los Angeles Times
International Daily News	The Daily News
La Opinion	WAVE Community Newspapers

An announcement was also posted on the County Web Site.

#### B. Distribution of Bid Packages

The Housing Authority's vendor list was used to mail out Invitations for Bids to 35 contractors, of which 25 identified themselves as businesses owned by minorities or women (private firms which are 51 percent owned by minorities or women, or publicly-owned businesses in which 51 percent of the stock is owned by minorities or women). As a result of the outreach, four bid packages were requested and distributed.

#### C. Pre-Bid Conference and Site Walk

On July 7, 2005, a mandatory pre-bid conference and site walk was conducted. Four firms were in attendance.

#### D. Bid Results

On July 21, 2005, one bid was received and publicly opened. The bid results were as follows:

<u>Company</u>	<u>Bid Amount</u>
Commercial Paving & Coating, Inc.*	\$125,000.00

\*Minority-owned firm

E. Minority/Female Participation – Selected Contractor

<u>Name</u>	<u>Ownership</u>	<u>Employees</u>
Commercial Paving & Coating, Inc.	Minority	Total: 45 38 Minorities 2 Women 84% minorities 4% women

The Housing Authority conducts ongoing outreach to include minorities and women in the contract award process, including: providing information at local and national conferences; conducting seminars for minorities and women regarding programs and services; advertising in newspapers to invite placement on the vendor list; and mailing information to associations representing minorities and women. The above information has been voluntarily provided to the Housing Authority.

The recommended award of the contract is being made in accordance with the Housing Authority's policies and federal regulations, and without regard to race, creed, color, or gender.

## **Contract Summary**

**Project Name:** Parking Lot Renovation  
**Location:** Nueva Maravilla Housing Development  
**Bid Number:** CM-05-037  
**Bid Date:** July 21, 2005  
**Contractor:** Commercial Paving & Coating, Inc.  
**Services:** Complete parking lot renovations

**Contract Documents:** Part A - Instructions to Bidders and General Conditions; Part B – Specifications; Part C – Bidder's Documents, Representations, Certifications, Bid, and Other Statements of Bidder.

**Time of Commencement and Completion:** The work to be performed under this Construction Contract shall be commenced within ten (10) days after a Notice to Proceed is received by the Contractor, or on the date specified in the Notice, whichever is later, and shall be completed within ninety (90) calendar days following the required commencement date.

**Liquidated Damages:** In the event of breach of contract, the Contractor and his/her sureties shall be liable for, and shall pay to the Housing Authority the sum of **Four Hundred Dollars (\$400.00)** as liquidated damages for each calendar day of delay, until the Work is accepted by the Housing Authority.

**Contract Sum:** The Housing Authority shall pay the Contractor for the performance of the Construction Contract subject to additions and deductions by Change Order(s) as provided in the Contract Documents, in current funds, the sum of **One Hundred Twenty-Five Thousand Dollars and No Cents (\$125,000)**. The Contract Sum is not subject to escalation, and includes all labor and material increases anticipated throughout the duration of this Construction Contract.

**Contract Contingency:** \$25,000.